



Township of Delaware Committee
Regular Meeting Minutes
December 11, 2023 at 7:30 PM – In Person
Second Floor Meeting Room – Town Hall
570 Rosemont Ringoes Road, Sergeantsville, NJ

CALL TO ORDER AND STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

Mayor Herman called the meeting to order at 7:30 and read the statement of compliance with the Open Public Meetings Act.

PLEDGE OF ALLEGIANCE

Mayor Herman led the meeting in the Pledge of Allegiance.

ROLL CALL

Township Committee	Present	Absent
Chad Bower	X	
Susan Lockwood	X	
Joseph Vocke	X	
James Waltman	X	
Charles Herman, Mayor	X	

APPROVAL OF MEETING MINUTES

The motion to approve the November 21, 2023 Regular Session minutes and approve and hold the Executive Session minutes was made by Mr. Waltman and seconded by Mr. Bower. The Motion was approved unanimously by voice vote. The motion carried.

PUBLIC COMMENT – Agenda Items Only

Liza Davis, resident, asked why the Township Committee requested the Rosemont Water Company Audits. Mayor Herman replied that it is part of Best Practices and should have been asked for in the past. Ms. Davis also commented that the Historic Advisory Committee will be holding an Open House on Wednesday at 7:30 pm.

TOWNSHIP COMMITTEE LIAISON REPORTS

Mr. Bower, Mr. Waltman, Mr. Vocke and Mrs. Lockwood had no reports.

Mayor Herman commented that there was a good turnout at the Tractor Parade & Tree lighting and the holiday decorating contest judging started tonight.

ADMINISTRATOR'S REPORT

CFO McDaniel reported that Lambert Road Phases I & II work had been done, but they will hold off on paving due to the low temperatures. They will return in the spring to pave and install the guardrail. She reported that Severns Way roadwork was completed done, but they will have to return in the spring for topsoil work. She also noted that Raven Rock Road small repair was also completed and that driveway aprons will be done in the spring. Ms. McDaniel reported that Construction is transitioning to new software, SDL, which will allow online permit scheduling, permit tracking and provide account balance information. The program should be up and running by spring. She added that there will be a Special Township Committee meeting on 12/20 at 5 pm to approve the bill list and other year-end resolutions.



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Mayor Herman asked for clarification that Lambert Road will stay as is until Spring. Ms. McDaniel confirmed that and added that the Raven Rock aprons will be done in the spring as well.

CONSENT AGENDA

Resolution 23-188: Authorizing Refund of Driveway Bond B34 L20.01

Resolution 23-189: Authorizing Junkyard License Renewal – German Auto Resort LLC

Resolution 23-190: Authorizing Tax Refund Due to Farmland Assessment B51 L17.04 Q093

Resolution 23-191: Authorizing Tax Sale Certificate Redemption B58 L1

Resolution 23-192: Authorizing Cancellation of Old Billing for 100% Disabled Veteran B43 L22

Resolution 23-193: Amending Trap Rock Industries, LLC Ten Year Quarry License

Resolution 23-194: Authorizing Hiring of Part Time Snow Plow Operators

Resolution 23-195: Authorizing Budget Transfer

Mayor Herman read each resolution by title and asked for a motion to approve the consent agenda. The motion was made by Mr. Waltman and seconded by Mr. Bower. Mr. Waltman asked for clarification on the amendments to the quarry license and Mayor Herman asked if we are planning to look for other snow plow operators in addition to those named in the resolution. The motion was unanimously approved by roll call vote. The motion carried.

Township Committee	Motion	Second	Yes	No	Abstain	Absent
Chad Bower		X	X			
Susan Lockwood			X			
Joseph Vocke			X			
James Waltman	X		X			
Charles Herman, Mayor			X			

Township of Delaware
Resolution #23-188

Authorizing Refund of Driveway Bond – B34 L 20.01

WHEREAS, Diana Loria posted a driveway bond on January 28, 2022 in the amount of \$2,000.00 (check # 9265);

WHEREAS, On November 11, 2023, a letter was received from Diana Loria requesting the escrow money back since she no longer desires to install the driveway at 212 Lower Creek Road;

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 34, Lot 20.01
To: Diana Loria
212 Upper Creek Road
Stockton, NJ 08559



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Driveway Bond Amount: \$2,000.00

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 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:

Diana Rumage, Acting Clerk

Charles Herman, Mayor

Diane McDaniel, CFO

Approved: December 11, 2023

I certify the foregoing to be a true and correct abstract of a Resolution adopted by the Township Committee of the Township of Delaware, County of Hunterdon at an Official Meeting held December 11, 2023.

Diana Rumage
Acting Clerk

Township of Delaware
Resolution #23-189

Approving 2024 Junkyard License – German Auto Resort LLC

WHEREAS, the Township of Delaware allows for the operation of junkyards in certain zoned areas within the Township of Delaware; and

WHEREAS, German Auto Resort LLC has applied for and paid the appropriate fees for a junkyard license; and

WHEREAS, the premises have been inspected and found to be in compliance by the Zoning Officer.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Delaware Township, County of Hunterdon, State of New Jersey, that German Auto Resort LLC is hereby approved for a 2024 Junkyard License.

ATTEST:

Diana Rumage, Acting Clerk

Charles Herman, Mayor

Approved: December 11, 2023



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Diana Ramage
Acting Clerk

Township of Delaware
Resolution #23-190
Authorizing Tax Refund Due to Farmland Assessment – B51 L17.04 Q093

WHEREAS, a payment was received from the homeowner to pay 2023 taxes, for Block 51 Lot 17.04 Q0938, Ian Dorko, property address: 26 Federal Twist Road, Stockton, NJ 08559;

WHEREAS, this property went into farmland assessment for the 2023 tax year which resulted in an overpayment for 1st and 2nd quarters of 2023 for \$2,497.49.;

WHEREAS, the property owner has requested a refund for the overpayment and;

NOW THEREFORE BE IT RESOLVED, that the Township Committee authorize the Delaware Township Treasurer to refund \$2,497.49 to owners mailing address at:

Ian Dorko
12 Federal Twist Rd
Stockton NJ 08559

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

ATTEST:

Diana Ramage
Acting Clerk

Charles Herman
Mayor

Approved: December 11, 2023

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Diana Ramage
Acting Clerk

Township of Delaware
Resolution #23-191
Authorizing Tax Sale Certificate Redemption B58 L1



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WHEREAS, the Delaware Township Tax Collector held a tax sale on June 13, 2023; and

WHEREAS, at said sale Tax Sale Certificate #2023-006 for property known as Block 58 Lot 1 Q1050– 32 Bowne Station Rd Owner: Marion, Wayne was sold to Anthony Malinowski, and

WHEREAS, a request was made to redeem TSC #2023-006; and

WHEREAS, payment has been received by the Tax Collector for redemption of TSC #2023-006 in the amount of \$22,385.72;

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 \$22,385.72 in addition to premium monies in the amount of \$22,000.00 to: Anthony Malinowski, 3 Roosevelt Road, Whitehouse Station NJ 08889;

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

ATTEST:

Diana Ramage
Acting Clerk

Charles Herman
Mayor

Approved: December 11, 2023

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Diana Ramage
Acting Clerk

Township of Delaware
Resolution #23-192

Authorizing Cancellation of Old Billing for 100% Disabled Veteran B43 L22

WHEREAS, the Delaware Township tax Assessor has received all documents confirming the status of a permanently and totally disabled veteran effective 8/15/23 for the owner of record of Block 43, Lot 22, 231 Rosemont Ringoes Road: and

WERERAS, this property will remain exempt from property tax while it remains the principal residence of the permanently and totally disabled veteran.

WHEREAS, the property owner already paid the taxes and now is entitled to a refund for partial 3rd quarter and all of 4th quarter 2023 taxes in the amount of \$4,435.34;



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NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Delaware, County of Hunterdon, and State of New Jersey that the billing be cancelled for B43 L22 and that a refund be given in the amount of \$4,435.34;

Brozman, Richard M
231 Rosemont Ringoes Rd
Stockton, NJ 08559

BE IT FURTHER RESOLVED that the records of the Tax Collector be adjusted to reflect the exempt status and a certified copy of this resolution shall be provided to the Tax Collector and Chief Financial Officer.

ATTEST:

Diana Ramage
Acting Clerk

Charles Herman
Mayor

Approved: December 11, 2023

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Diana Ramage
Acting Clerk

Township of Delaware
Resolution #23-193

Amending Trap Rock Industries, LLC Ten Year Quarry License

WHEREAS, Trap Rock Industries, LLC owns and operates a quarry within Delaware Township located at Block 59 Lots 3 and 4; and

WHEREAS, the Township Committee of Delaware Township conditionally approved the renewal of Trap Rock Industries LLC ten-year license on July 11, 2022 in Resolution #2022-87; and

WHEREAS, Condition 1 of Resolution #2022-87 required the Township Engineer conduct an inspection of the quarry to ensure all deficiencies identified during the April 4, 2022 inspection had been corrected and conduct visual monitoring of the quarry pit water seeps; and

WHEREAS; Condition 11 of Resolution #2022-87 required the Township Engineer submit their technical review of the license application to the Township; and

WHEREAS, as indicated in the Colliers Engineering & Design's June 29, 2023 *Quarry Inspection Summary Report – 2022 – AMENDED* report, the Township Engineer indicated all deficiencies identified during the April 4, 2022 inspection have been corrected and the quarry pit water seeps had been monitored in August and October 2022; and



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WHEREAS, as indicated in the Colliers Engineering & Design's September 27, 2023 *Technical Report – 2nd AMENDMENT* report, the Township Engineer conducted his technical review of the license application and identified two deficiencies.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Delaware, County of Hunterdon, State of New Jersey, conditionally approves the ten-year Quarry License to Trap Rock Industries, LLC to expire on July 31, 2032 subject to the following conditions which shall be satisfied:

1. Conditions 1 and 11 of Resolution #2022-87 have been satisfied.
2. Conditions 2 through 10 of Resolution #2022-87 remain in full effect.
3. In accordance with item 3 of Colliers Engineering & Design's September 27, 2023 *Technical Report – 2ND AMENDMENT* report, the summary status of all regulatory compliance matters ("Table 1" of the reclamation plan) shall be updated with the submission of the next reclamation plan.
4. In accordance with item 6 of Colliers Engineering & Design's September 27, 2023 *Technical Report – 2ND AMENDMENT* report, with the submission of the next reclamation plan, the reclamation plan plat should be modified to depict with a symbol the locations of all required signs and buffer boundary markers.

ATTEST:

Diana Rumage
Acting Clerk

Charles Herman
Mayor

Approved: December 11, 2023

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Diana Rumage
Acting Clerk

Township of Delaware
Resolution #23-194

Authorizing Hiring of Part Time Snow Plow Operators

WHEREAS, the Township Committee of the Township of Delaware, Hunterdon County, New Jersey has due to the need for part time Snow Plow Operator position at the Delaware Township Public Works Department.

NOW, THEREFORE, BE IT RESOLVED by the Delaware Township Committee that the 2023/2024 hourly salary for Dale William Haberle and Harry Harbor for the position of Part Time Snow Plow Operator at an hourly salary of \$30.00 per hour (for salting & plowing).

PART TIME SNOW PLOW OPERATOR (includes salting & plowing)



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Dale William Haberle (effective 12-11-2023)

\$30.00/HOURLY

Harry W. Harbourt (effective 12-11-2023)

\$30.00/HOURLY

ATTEST:

Diana Ramage
Acting Clerk

Charles Herman
Mayor

Approved: December 11, 2023

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Diana Ramage
Acting Clerk

Township of Delaware
Resolution #23-195
Authorizing Budget Transfer

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

WHEREAS, it has been determined that there will be excesses in certain appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriations for the year 2023, and it has also been determined that certain appropriations are deemed to be insufficient to fulfill the purposes of such appropriations; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Delaware, County of Hunterdon, and State of New Jersey that 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
Construction O/E	6,500.00	Construction S/W	6,500.00
Total:	6,500.00	Total:	6,500.00



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ATTEST:

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Acting Clerk

Charles Herman
Mayor

Approved: December 11, 2023

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Diana Ramage
Acting Clerk

RESOLUTION 23-196: Authorizing Payment of Municipal Obligations

Mayor Herm asked for a motion to approve Resolution 23-196 for a total of \$167,146.44. The motion was made by Mr. Bower and seconded by Mr. Waltman. The motion was approved unanimously by roll call vote. The motion carried.

Township Committee	Motion	Second	Yes	No	Abstain	Absent
Chad Bower	X		X			
Susan Lockwood			X			
Joseph Vocke			X			
James Waltman		X	X			
Charles Herman, Mayor			X			

Township of Delaware
Resolution #23-196

Authorizing Payment of Municipal Obligations

WHEREAS, the Township Committee of the Township of Delaware finds and declares that certain municipal obligations have come due and are now payable; and

WHEREAS, the Township Committee further finds and declares that said obligations have been itemized on the annexed schedules, which are hereby attached and deemed part of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Delaware, County of Hunterdon, State of New Jersey does hereby authorize payment of said municipal obligations, in accordance with the recommendations of the Chief Financial Officer and the Treasurer in the amount of **\$167,146.44**.

ATTEST:

Diana Ramage
Acting Clerk

Charles Herman
Mayor



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Diana Rumage
Acting Clerk

Before moving to Old Business, Mayor Herman welcomed and introduced Township Committee Elect David Bond.

OLD BUSINESS

Endorsing Designation of Creeks into the Lower Delaware Wild & Scenic River System

Township Attorney Joe Tauriello recommended tabling the vote on this matter until further information can be gathered. Mayor Herman acknowledged Robert McEwan from the Lower Delaware Wild & Scenic River committee and explained that it is still early on in the designation process and we are going to wait and put this matter on the calendar for 2024 to allow questions to come up that haven't been asked yet. Mrs. Lockwood thanked Mr. McEwan for preparing a Q&A and project description. She reiterated that Delaware Township has been part of this program for years and it hasn't had any negative impact. Mayor Herman responded that we have our Township Attorney's opinion and we could vote on his recommendation to not sign on to this program or we could get more data before moving forward to better understand the potential impact on property owners. Mayor Herman noted for the record that there was no objection to tabling the matter until 2024.

Zoning BOA – escrow fee increase

Mr. Tauriello indicated that he spoke to the ZBOA Attorney Steve Goodell, who agrees that the fees should increase. He needs time to canvass and will get back to Mr. Tauriello so that the ordinance can be revised in 2024.

Open Space letter and Coordinator position advertisement

Mayor Herman explained that the letter from the Open Space Committee is in response to the Township Committees recommendation to contract with the Land Conservancy. He noted that the letter is similar to the previous employment description with minor edits and a salary increase. The previous advertisement yielded only one applicant. Mrs. Lockwood stated that we'd need to advertise again in the new year. She further stated that past Coordinators that have had Township knowledge have learned the process and were successful. She added that recent Coordinators have not succeeded as they were stretched too thin. Mayor Herman noted that there is a difference between a Coordinator and a secretary. Mrs. Lockwood replied that the Secretarial portion is the least of the Open Space Committees' needs. A Coordinator is needed to do the outreach to those looking to preserve their land and would go to the County and State meetings when land applications are being considered. Mayor Herman suggested proceeding in two ways – 1) the Committee will readvertise for the Coordinator position in 2024 or 2) we could advertise for a secretary for Open Space, Environmental Commission and



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Recreation and hire someone to be the Open Space Coordinator. He also mentioned the option of a contract with the Land Conservancy.

Mrs. Lockwood indicated that the Land Conservancy is no longer under consideration. She then moved that hiring of the Open Space Coordinator be tabled until next year. Mayor Herman seconded. The motion was approved unanimously by voice vote. The motion carried.

NEW BUSINESS

Rosemont Water Company Audits

Mayor Herman acknowledged receipt of Rosemont Water Company Audits for 2021 & 2022.

Letter of Intent for Animal Control Solutions, LLC

Mayor Herman asked for a motion to have the Attorney review and the Clerk send a letter of intent to Animal Control Solutions, LLC for 2024. The motion was made by Mr. Bower and seconded by Mr. Waltman. The motion was approved unanimously by voice vote. The motion carried.

2024 Chili Bowl & Bingo

Jes Stahl provided an update. The second annual Chili Bowl & Bingo will be held in the Township on February 3rd (snow date: February 4th). It will be free due to Bingo licensing regulations. Registration will go live soon. The event will be BYOB and food.

Reorganization Meeting Date

The meeting was set for January 3, 2024 at 5:30 pm. Mr. Waltman noted that the regularly scheduled Planning Board meeting falls before that date and will need to be moved until after the Township Committee reorganization meeting.

PUBLIC COMMENT

Chuck Cline, resident, commented that the Planning Board meeting will have to move until after the Township Committee reorganization meeting. He also asked for an update on the covered bridge construction. Mayor Herman responded that it's expected to be done by Christmas.

Richard Macomber, resident, asked about the advertising of the PB/ZBOA secretary position. Mayor Herman replied that it is a top priority of the Township. Mr. Cline commented that they should explore a shared service agreement. Mayor Herman replied that they had, but there were no interested parties.

Maria Esposito, resident, provided the Township Committee with pictures of issues with an ongoing sidewalk project that has affected her property since 2020. Mayor Herman replied that he would follow up with Ms. Esposito after the matter is discussed in Executive Session.

Mario Russo, resident, reported on the latest DTAA meeting. He referenced an email stating money owed for soccer field maintenance. Mayor Herman clarified that there was another request for reimbursement for expenses incurred by DTAA, however, if Township funds are used for a project like that, they would have to go out to bid. Mr. Russo continued, stating that they received a proposal for field prep and it will be the same as last year, approximately \$15,000. He stated that if DTAA can't pay



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the entire amount, they might come to the Township for funding. Mayor Herman recommended that a DTAA representative come to the budget meeting in 2024 to ask for inclusion in the budget and quotes would be needed for the project. He added that a funding request that large might have to be spread out across a few years or see if there is potential to increase the stipend that is given to Recreation for Dilts Park. Mr. Waltman asked if addressing the safety issues would help with the anticipated cost, because if the maintenance costs are that high moving forward, we'd have to consider a field rotation or some way to decrease spending. Mr. Bower added that the drainage improvements would help the t-ball and softball field issues. Mr. Bower added that in the past, materials were purchased by DTAA and labor was done by John Martin on a voluntary basis, which is not sustainable. Mr. Russo added that DTAA raised over \$1,000 at the Tractor Parade. Mr. Waltman queried if there are any capital improvements that can be done to help lessen annual maintenance. Mr. Russo replied that the water created a lip, so the grass on t-ball field is indented and if those issues were addressed, maintenance would be less. Mayor Herman reminded Mr. Russo that the Apple TV funds should have been used to address the safety issues. Mr. Russo asked if DTAA would need to get quotes to use that money to fix the safety issues. Mayor Herman replied that the money can be added to the stipend, but would have to be used specifically for correcting safety issues. Ms. McDaniel added that if you can get the cost to the Township by December 20th, it could be included on the final bill list of the year. Mr. Waltman asked that Mr. Russo forward the top three issues for inclusion. Mr. Russo also asked what can be done with empty, dry, five-gallon paint cans. Mr. Waltman suggested that they ask Sherwin-Williams. Mr. Russo agreed to explore that option and if it's not possible, then he will follow up with Mayor Herman to connect with DPW. Mr. Russo also noted that the paint machine, which he previously asked to store with the Township, will be stored in Scott Kingston's basement.

Michael Odenwald, resident of Stockton, suggested that the Township reconsider the cannabis ordinance in the new year. He would provide an update regarding what's happening at the State level and how it could be implemented in Delaware Township. Mayor Herman suggested that he send an email to the Clerk and the Township Committee will decide if it will be included on an agenda in 2024.

TOWNSHIP COMMITTEE COMMENTS

Mr. Vocke, Mr. Waltman and Mr. Bower had no comment.

Mrs. Lockwood commented that the Stormwater Committee would like to meet with the Township Engineer regarding the Tier A requirements and perhaps Environmental Commission representative could attend as well.

Mayor Herman read a statement which included his thoughts regarding the acknowledgement of small groups and asked that residents come forward to express their thoughts and concerns. He also mentioned the issues with communicating via social media which creates confusion and sometimes issues between neighbors. He went on to thank several Township entities and volunteers for their support and trust over the years. He acknowledged the municipal staff individually and thanked them all as both a resident and taxpayer.

EXECUTIVE SESSION



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Mayor Herman asked for a motion to approve Resolution 23-197: 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 30 minutes. Action may be taken. The motion was made by Mr. Bower and seconded by Mr. Waltman. The motion was approved unanimously by voice vote. The motion carried.

Township of Delaware
Resolution #23-197
To Enter into Executive Session

WHEREAS, the Open Public Meetings Act, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss: **Personnel Matters, Litigation and Contractual Matters**

WHEREAS, Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from this meeting.

ATTEST:

Diana Ramage
Acting Clerk

Charles Herman
Mayor

Approved: December 11, 2023

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Diana Ramage
Acting Clerk

ADJOURNMENT

Mayor Herman asked for a motion to adjourn. The motion was made by Mr. Waltman and seconded by Mayor Herman. The motion was approved unanimously by voice vote. The motion carried. The meeting adjourned at 9:25 pm.

Next meeting: 12/20/23 at 5 pm – Special Meeting, Finance Only