



DELAWARE TOWNSHIP **COMMITTEE MINUTES** **May 28, 2019 – 7:30 P.M.**

Mayor Joseph Vocke called the regular meeting of the Delaware Township Committee to order on May 28, 2019 at 7:30 p.m., at the Delaware Township Municipal Building, 570 Rosemont Ringoes Road (County Route 604) in Sergeantsville, New Jersey.

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance

NOTICE REQUIREMENTS

Mayor Vocke read a statement noting the Notice Requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Hunterdon County Democrat, Trenton Times, Courier News, and Star Ledger, by posting at the Delaware Township Municipal Building, and by filing with the Township Clerk all on January 4, 2019.

ROLL CALL

Present: Daniel Kwasnik, James Waltman, Susan Lockwood, Charles Herman, Joseph Vocke
Absent: None

APPROVAL OF MINUTES FROM MAY 13, 2019 TOWNSHIP COMMITTEE MEETING

Mrs. Lockwood motioned to approve the minutes from the May 13, 2019 Township Committee Meeting. Mr. Kwasnik seconded the motion.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Vocke
 Nays - None
 Absent/Abstain: Herman

TOWNSHIP COMMITTEE REPORTS

IT Sub-Committee

Mr. Waltman stated Trinity Webmedia has corrected and updated the Sub-Committee lists. Mr. Waltman reported Trinity Webmedia has spoken to the Recreation Commission chairperson and they are currently working on developing the Recreation section of the website. Mr. Waltman stated the word “posted” is now next to the posting dates to clear up any confusion with the event date.

Environmental Commission

Mrs. Lockwood stated members of the Environmental Commission worked with the 6th, 7th and 8th grade students on planting at the School Meadow Trail on Friday, May 24, 2019.

DPW

Mr. Herman stated that a request has been made to the County to restore the sidewalks that have been paved over on County Rt. 579 in Sergeantsville.

Mr. Herman stated that residents on Granary Road requested that the island at the end of the road be cleaned up and grass be cut back. Mr. Herman stated a letter was received by the residents thanking the DPW and the Township for taking care of this issue in a timely manner. Mr.

Herman stated he would like to have a discussion with the Township Engineer requesting Granary Road and Bird Lane be moved up the list for repaving. Mr. Herman stated that these two roads have not been repaved since 1976.

Mr. Kwasnik stated Ferry Road has been taken off the chip seal list for 2019 to help alleviate the road project cost. Mr. Kwasnik stated these funds will be transferred to help support the higher priority road projects for 2019.

Pedestrian Sub-Committee

Mr. Herman stated he approached the residents that will be affected by the new sidewalk in Sergeantsville and all the residents are supportive of this project. Mr. Herman stated that one resident had a small change request that has been forwarded to the Township Engineer for adjustment.

Historic Advisory Committee

Mr. Herman asked the Township Committee to confirm that the Township will be approving the recommendations that the Heritage Conservancy has recommended for the Holcombe House restoration project. Mr. Herman stated the only issue that is currently being worked out is the type of roofing to be used for this project.

The Township Committee members confirmed the reason that the Township hired Heritage Conservancy was to support and authorize their recommendations for the Holcombe House construction project.

MEETING OPEN TO THE PUBLIC FOR COMMENTS ON AGENDA ITEMS ONLY

No comments were made.

ORDINANCE 2019-05- SECOND READING

DELAWARE TOWNSHIP
ORDINANCE #2019-05

BOND ORDINANCE AMENDING IN ITS ENTIRETY BOND ORDINANCE #2017-08 OF THE TOWNSHIP OF DELAWARE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, FINALLY ADOPTED JUNE 12, 2017

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF DELAWARE, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section One. Bond Ordinance #2017-08 of the Township of Delaware, in the County of Hunterdon, New Jersey (the "Township"), finally adopted June 12, 2017 is hereby amended in its entirety to include a grant, to increase certain appropriation and authorization amounts, to increase the down payment amount, to increase the Section 20 costs and to combine two projects to read as follows:

"BOND ORDINANCE PROVIDING FOR THE 2017 ROAD PROGRAM IN AND BY THE TOWNSHIP OF DELAWARE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$1,393,500 AND AUTHORIZING THE

ISSUANCE OF \$1,331,325 BONDS OR NOTES TO
FINANCE A PORTION OF THE COST

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF DELAWARE, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Delaware, in the County of Hunterdon, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the sum of \$1,393,500, including a grant expected to be received from the State of New Jersey Department of Transportation in the amount \$150,000 for the purpose in Section 3(b) (the "State Grant") and further including the aggregate sum of \$62,175 as the several down payments required by the Local Bond Law. The amount of the down payment is 5% of the costs of the improvements which are not being covered by the State Grant (\$1,243,500). The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and in anticipation of receipt of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,331,325 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) Repair, milling, paving, curbing, surveying, landscaping and engineering of Jergensen Road, as well as any adjacent streets or roads related to such improvements including all work and materials necessary therefor or incidental thereto, in accordance with plans and specifications that are on file in the office of the Clerk and such plans are hereby approved.	\$36,000	\$34,200	10 years

<u>Purpose</u>	Appropriation and Estimated <u>Cost</u>	Estimated Maximum Amount of Bonds or <u>Notes</u>	<u>Period of Usefulness</u>
b) Repair, milling, paving, curbing, surveying, installation of traffic markings, landscaping and engineering of Sanford Road, as well as any adjacent streets or roads related to such improvements including all work and materials necessary therefor or incidental thereto, in accordance with plans and specifications that are on file in the office of the Clerk and such plans are hereby approved.	\$530,000 (includes a grant expected to be received from the State of New Jersey Department of Transportation in the amount of \$150,000)	\$511,000	10 years
c) Repair, milling, paving, curbing, surveying, installation of traffic markings, landscaping and engineering of Boars Head Road and Whiskey Lane, as well as any adjacent streets or roads related to such improvements including all work and materials necessary therefor or incidental thereto, in accordance with plans and specifications that are on file in the office of the Clerk and such plans are hereby approved.	\$827,500	\$786,125	10 years
Total	<u>\$1,393,500</u>	<u>\$1,331,325</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to

deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,331,325, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$278,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document

to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law."

Section Two. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section Three. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Joseph Vocke, Mayor

ATTEST:

Jodi McKinney, RMC
Township Clerk
May 13, 2019

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held May 13, 2019. It will be considered

on second reading for final adoption at a regular meeting to be held May 28, 2019, 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.

Mr. Waltman motioned to open the public hearing on Ordinance #2019-05 to the public, Mr. Herman seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mr. Herman motioned to close the public hearing on Ordinance #2019-05 to the public, Mr. Waltman seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mr. Waltman motioned to approve Ordinance #2019-05 on second reading, and Mr. Herman seconded the motion for second reading by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke
Nays - None
Abstain – None

ORDINANCE 2019-06- SECOND READING

DELAWARE TOWNSHIP
ORDINANCE #2019-06

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$86,000 FOR VARIOUS ROAD IMPROVEMENTS (MESZAROS ROAD PHASE 3) IN AND BY THE TOWNSHIP OF DELAWARE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$86,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF DELAWARE, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance has heretofore been authorized to be undertaken by the Township of Delaware, in the County of Hunterdon, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$86,000, such sum being in addition to the \$290,000 appropriated therefor by Bond Ordinance #2018-14 of the Township, finally adopted August 27, 2018 (the "Original Bond Ordinance"). The \$290,000 appropriated in the Original Bond Ordinance was for two purposes, which included Meszaros Road 3, including, but not limited to, roadway excavation and the installation of reinforced concrete pipes and further including all work and materials necessary therefor and incidental thereto ("Meszaros Road") and improvements to Zentek Road, including, but not limited to, drainage improvements and the installation of a speed hump and further

including all work and materials necessary therefor and incidental thereto (“Zentek Road”). The supplemental appropriation is only being provided for Meszaros Road and not for Zentek Road. No additional down payment is required pursuant to N.J.S.A. 40A:2-11(c) as the improvement or purpose referred to in Section 3(a) hereof is being partially funded by a grant expected to be received from the State of New Jersey Department of Transportation in the amount of \$126,000 for Meszaros Road Phase 3 (the “State Grant”) as described in the Original Bond Ordinance.

Section 2. In order to finance the additional cost for Meszaros Road and in anticipation of receipt of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$86,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is Meszaros Road Phase 3, including, but not limited to, roadway excavation and the installation of reinforced concrete pipes and further including all work and materials necessary therefor and incidental thereto, as described in the Original Bond Ordinance.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for Meszaros Road and Zentek Road is \$371,000, including the \$285,000 authorized by the Original Bond Ordinance for Meszaros Road and Zentek Road and the \$86,000 bonds or bond anticipation notes authorized herein for Meszaros Road.

(c) The estimated cost for Meszaros Road and Zentek Road is \$376,000, including the \$290,000 appropriated by the Original Bond Ordinance for Meszaros Road and Zentek Road and the \$86,000 appropriated herein for Meszaros Road.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall

determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose described in Section 3(a) within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$86,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$66,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for Meszaros Road and Zentek Road. Of this amount, \$48,800 was estimated for these items of expense in the Original Bond Ordinance for Meszaros Road and Zentek Road and an additional \$17,200 is estimated therefor herein for Meszaros Road.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in

connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Joseph Vocke, Mayor

ATTEST:

Jodi McKinney, RMC
Township Clerk
May 13, 2019

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held May 13, 2019. It will be considered on second reading for final adoption at a regular meeting to be held May 28, 2019, 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.

Mr. Waltman motioned to open the public hearing on Ordinance #2019-06 to the public, Mrs. Lockwood seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mr. Herman motioned to close the public hearing on Ordinance #2019-06 to the public, Mrs. Lockwood seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mr. Herman motioned to approve Ordinance #2019-06 on second reading, and Mr. Waltman seconded the motion for second reading by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke
Nays - None
Abstain – None

ORDINANCE 2019-07- SECOND READING

DELAWARE TOWNSHIP
ORDINANCE #2019-07

BOND ORDINANCE PROVIDING FOR ROSEMONT RINGOES ROAD SIDEWALK INSTALLATION IN AND BY THE TOWNSHIP OF DELAWARE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$192,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$192,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF DELAWARE, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Delaware, in the County of Hunterdon, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$192,000, including a grant expected to be received from the State of New Jersey Department of Transportation in the amount of \$151,346 (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the cost of the project since the project is being partially funded by the State Grant.

Section 2. In order to finance the cost of the improvement or purpose and in anticipation of receipt of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$192,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is Rosemont Ringoes Road sidewalk installation, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township

may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$192,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$38,400 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary

market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Joseph Vocke, Mayor

ATTEST:

Jodi McKinney, RMC
Township Clerk
May 13, 2019

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held May 13, 2019. It will be considered on second reading for final adoption at a regular meeting to be held May 28, 2019, 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.

Mr. Waltman motioned to open the public hearing on Ordinance #2019-07 to the public, Mrs. Lockwood seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mr. Herman motioned to close the public hearing on Ordinance #2019-07 to the public, Mrs. Lockwood seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mr. Waltman motioned to approve Ordinance #2019-07 on second reading, and Mrs. Lockwood seconded the motion for second reading by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke
Nays - None
Abstain – None

ORDINANCE 2019-08- SECOND READING

DELAWARE TOWNSHIP
ORDINANCE #2019-08

A CAPITAL ORDINANCE OF THE TOWNSHIP OF DELAWARE, COUNTY OF HUNTERDON, AND STATE OF NEW JERSEY TO AUTHORIZE AN EXPENDITURE AND APPROPRIATION FROM CAPITAL IMPROVEMENT FUND IN THE AMOUNT OF \$25,000.00 FOR ACQUISITION OF EASEMENTS RELATING TO THE ROSEMONT RINGOES ROAD SIDEWALK PROJECT.

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

Section 1. Delaware Township has a need to acquire three easements to complete the Rosemont Ringoes Road Sidewalk project. The three easements are on the following properties:

39.01/21	541 Rosemont Ringoes Road
39.01/22	549 Rosemont Ringoes Road
39.01/23	545 Rosemont Ringoes Road.

Section 2. Delaware Township hereby authorizes an appropriation and expenditure for the acquisition of the easement of the three properties listed in section 1 in an amount not to exceed \$25,000.00; and,

Section 3. Total amount to be expended from Capital Improvement Fund shall not exceed \$25,000.00.

Section 4. The Mayor, Deputy Mayor, Township Clerk and Township Attorney, as the case may be, are authorized, pursuant to N.J.S.A. 40A:12-5, and any other applicable law, to prepare and sign any and all necessary documentation to effectuate the acquisition as described herein, concerning the properties listed in section 1, including but not limited to any contracts and amendments thereto and all easements and other closing documents needed to complete the purchase.

Section 5. This Ordinance shall take effect immediately upon adoption in accordance with the laws of the State of New Jersey.

Joseph Vocke, Mayor

ATTEST:

Jodi McKinney, RMC
Township Clerk
May 13, 2019

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held May 13, 2019. It will be considered on second reading for final adoption at a regular meeting to be held May 28, 2019, 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.

Mr. Waltman motioned to open the public hearing on Ordinance #2019-08 to the public, Mrs. Lockwood seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mr. Herman motioned to close the public hearing on Ordinance #2019-08 to the public, Mr. Waltman seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mr. Herman motioned to approve Ordinance #2019-08 on second reading, and Mr. Waltman seconded the motion for second reading by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke
Nays - None
Abstain – None

ORDINANCE 2019-09- SECOND READING

DELAWARE TOWNSHIP
ORDINANCE #2019-09

A CAPITAL ORDINANCE OF THE TOWNSHIP OF DELAWARE, COUNTY OF HUNTERDON, AND STATE OF NEW JERSEY TO AUTHORIZE AN EXPENDITURE AND APPROPRIATION FROM RESERVE FOR VARIOUS EQUIPMENT IN THE AMOUNT OF \$50,000.00 FOR THE PURCHASE OF ROAD EQUIPMENT.

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

Section 1. Delaware Township has a need to purchase road equipment including but not limited to mowing equipment; and,

Section 2. Delaware Township hereby authorizes an appropriation and expenditure for the purchase of road equipment in an amount not to exceed \$50,000.00; and,

Section 3. Total amount to be expended from Reserve for the Purchase of Various Road Equipment shall not exceed \$50,000.00.

Section 4. This Ordinance shall take effect immediately upon adoption in accordance with the laws of the State of New Jersey.

Joseph Vocke, Mayor

ATTEST:

Jodi McKinney, RMC
Township Clerk
May 13, 2019

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held May 13, 2019. It will be considered on second reading for final adoption at a regular meeting to be held May 28, 2019, 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.

Mr. Waltman motioned to open the public hearing on Ordinance #2019-09 to the public, Mrs. Lockwood seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mr. Herman motioned to close the public hearing on Ordinance #2019-09 to the public, Mrs. Lockwood seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mr. Herman motioned to approve Ordinance #2019-09 on second reading, and Mr. Waltman seconded the motion for second reading by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke
Nays - None

Abstain – None

ORDINANCE 2019-10- SECOND READING

DELAWARE TOWNSHIP
ORDINANCE #2019-10

AN CAPITAL ORDINANCE OF THE TOWNSHIP OF DELAWARE, COUNTY OF HUNTERDON, AND STATE OF NEW JERSEY TO AUTHORIZE AN EXPENDITURE AND APPROPRIATION FROM RESERVE FOR THE PURCHASE OF IMPROVEMENTS TO DILTS PARK IN THE AMOUNT OF \$5,000.00 AND FROM CAPITAL IMPROVEMENT FUND IN THE AMOUNT OF \$10,000.00 FOR MATERIALS AND REPAIRS TO THE WALKING TRAIL, PARKING LOT AND OTHER IMPROVEMENTS AT DILTS PARK.

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

Section 1. Delaware Township has a need to repair and maintain the walking trail, parking lot and other improvements at Dilts Park; and,

Section 2. Delaware Township hereby authorizes an appropriation and expenditure for labor and materials to make improvements to the walking trail, parking lot and other repairs at Dilts Park, in an amount not to exceed \$15,000.00; and,

Section 3. Total amount to be expended from Reserve for the Purchase of Improvements to Dilts Park shall not exceed \$5,000.00 and expended from Capital Improvement Fund shall not exceed \$10,000.00.

Section 4. This Ordinance shall take effect immediately upon adoption in accordance with the laws of the State of New Jersey.

Joseph Vocke, Mayor

ATTEST:

Jodi McKinney, RMC
Township Clerk
May 13, 2019

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held May 13, 2019. It will be considered on second reading for final adoption at a regular meeting to be held May 28, 2019, 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.

Mr. Waltman motioned to open the public hearing on Ordinance #2019-10 to the public, Mrs. Lockwood seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mr. Herman motioned to close the public hearing on Ordinance #2019-10 to the public, Mr. Waltman seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mr. Herman motioned to approve Ordinance #2019-10 on second reading, and Mr. Waltman seconded the motion for second reading by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke
Nays - None
Abstain – None

ORDINANCE 2019-11- SECOND READING

DELAWARE TOWNSHIP
ORDINANCE #2019-11

A CAPITAL ORDINANCE OF THE TOWNSHIP OF DELAWARE, COUNTY OF HUNTERDON, AND STATE OF NEW JERSEY TO AUTHORIZE AN EXPENDITURE AND APPROPRIATION FROM RESERVE FOR THE IMPROVEMENT OF MUNICIPAL FACILITIES IN THE AMOUNT OF \$15,000.00 AND FROM CAPITAL IMPROVEMENT FUND IN THE AMOUNT OF \$10,000.00 FOR MATERIALS AND REPAIRS TO THE MUNICIPAL BUILDING.

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

Section 1. Delaware Township has a need to repair and maintain the municipal building including but not limited to carpeting and/or flooring, cameras and security windows; and,

Section 2. Delaware Township hereby authorizes an appropriation and expenditure for labor and materials to make improvements to the Municipal Building in an amount not to exceed \$25,000.00; and,

Section 3. Total amount to be expended from Reserve for the Improvement of the Municipal Facilities shall not exceed \$15,000.00 and expended from Capital Improvement Fund shall not exceed \$10,000.00.

Section 4. This Ordinance shall take effect immediately upon adoption in accordance with the laws of the State of New Jersey.

Joseph Vocke, Mayor

ATTEST:

Jodi McKinney, RMC
Township Clerk
May 13, 2019

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held May 13, 2019. It will be considered on second reading for final adoption at a regular meeting to be held May 28, 2019, 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.

Mr. Waltman motioned to open the public hearing on Ordinance #2019-11 to the public, Mrs. Lockwood seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mr. Herman motioned to close the public hearing on Ordinance #2019-11 to the public, Mr. Waltman seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mr. Herman motioned to approve Ordinance #2019-11 on second reading, and Mr. Waltman seconded the motion for second reading by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke
Nays - None
Abstain – None

ORDINANCE 2019-12- SECOND READING

TOWNSHIP OF DELAWARE
ORDINANCE NO. 2019-12

AN ORDINANCE OF THE TOWNSHIP OF DELAWARE IN HUNTERDON COUNTY, NEW

JERSEY, TO PROVIDE FOR THE RELEASE AND EXTINGUISHMENT OF CERTAIN EASEMENTS LOCATED UPON BLOCK 39, LOTS 19, 19.01-19.09 AND 19.13 AND BLOCK 39.01 (FORMERLY A PORTION OF BLOCK 39), LOTS 19.10-19.12 IN THE TOWNSHIP OF DELAWARE, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY

WHEREAS, Bellsflower Farm, LLC, a limited liability company of the State of New Jersey ("Owner"), obtained preliminary and final major residential subdivision approval for a residential development to be known as "Sergeants Greene" on a 99+/- acre property known as Block 39, Lot 19 in the Township, which approval was granted by the Delaware Township Planning Board and memorialized in Resolution #2004-13 on November 16, 2004 (preliminary approval) and in Resolution #2007-1 on April 3, 2007 (final approval), hereinafter collectively referred to as the "Subdivision Approval"; and

WHEREAS, the Subdivision Approval created thirteen lots (twelve residential building lots and one open space lot) shown as Block 39, 19.01, 19.02, 19.03, 19.04, 19.05, 19.06, 19.07, 19.08 19.09, Block 39, Lot 19.13 (formerly shown as Lot 19) and Block 39.01 (formerly a portion of Block 39) 19.10, 19.11 and 19.12 on the final subdivision map entitled "Final Plat for Sergeants Greene Block 39, Lot 19" prepared by Bohren and Bohren Associates, Inc. and filed on December 26, 2013 in the Hunterdon County Clerk's Office as Filed Map # 201312260000370690 (hereinafter referred to as the "Filed Map"); and

WHEREAS, as a condition of the Subdivision Approval, certain easements, rights and title were dedicated to the Township as appears on the Filed Map as well as in certain conveyance documents recorded by the Owner in the Hunterdon County Clerk's office; and

WHEREAS, since the recording of the Filed Map, the Owner has determined to permanently preserve the property which was the subject of the Subdivision Approval through the New Jersey State Farmland Preservation Program as administered by the NJ State Agriculture Development Committee ("SADC") pursuant to N.J.S.A. 4:1C-11, et seq. As a condition of the conveyance, the Grantor has agreed to abandon the Subdivision Approval and to merge all the lots created thereby into one lot to be known as Block 39, Lot 19. A copy of the proposed Deed of Consolidation is on file with the Township Clerk's office. In conjunction therewith, the Owner has requested the Township to extinguish, vacate and release certain interests that were previously dedicated to the Township through the Subdivision Approval; and

WHEREAS, by Resolution #2018-87 adopted on August 13, 2018, and a copy of which is on file with and available for public inspection in the Township Clerk's Office, the Township authorized and entered into an agreement (hereinafter the "Agreement") with the Owners to accomplish the vacation and release of the various easements, interests, rights and obligations dedicated to the Township as a condition of Subdivision Approval and the Township Committee agreed that, with certain exceptions outlined below, there is no longer a public need for such easements, interests, rights and obligations since the Subdivision Approval will be abandoned and the property will not be developed as previously proposed; and

WHEREAS, since the adoption of Resolution #2018-87 and entering into the Agreement, the Township Committee has determined that there is no longer a need to acquire a right of way for emergency or agricultural access along the property from Rittenhouse Road to the portion of Jurgensen Road that is being vacated; and

WHEREAS, the purpose of this enactment is to accomplish those objectives set forth in the Agreement which need to be authorized via ordinance.

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

SECTION 1. The preambles recited above are made a part of this Ordinance as if fully set forth herein.

SECTION 2. Pursuant to the provisions of N.J.S.A. 40A:12-5(d) and any other applicable laws, the Township Attorney, Mayor, Deputy Mayor and Clerk are hereby authorized to take all necessary steps to prepare and execute the proposed Deed(s) or other appropriate instruments necessary to extinguish, vacate and/or release the following property interests held by the Township of Delaware:

(a) Interests created by Filed Map #201312260000370690 recorded in the Hunterdon County Clerk's Office on December 26, 2013 and as set forth below, together with any other necessary documents:

- i. Easements dedicated for drainage on Block 39, Lots 19.01, and Lots 19.08, 19.09 and 19.13,

Block 39.01, Lots 19.10-19.12;

- ii. Sight easements dedicated on Block 39, Lots 19.01, 19.09 and Block 39.01, Lots 19.10 and 19.12;
- iii. Open Space toward the rear of Block 39, Lots 19.01-19.09 and Block 39.01, Lots 19.10 - 19.12;
- iv. Conservation Easements on Block 39, Lots 19.07 and 19.08;
- v. Walkway easement on Block 39, Lot 19; and
- vi. All rights in the roadways known as Larew Lane and Jurgensen Road.

(b) Those certain rights, titles and interests in certain lands owned by Bellsflower Farm, LLC and conveyed to or reserved for the benefit of Township of Delaware as set forth in the following:

- i. Open Space Deed between Bellsflower Farm, LLC as Grantor and Bellsflower Farm, LLC as Grantee dated December 23, 2013 and recorded on February 5, 2014 in the Hunterdon County Clerk's Office in Deed Book 2325 at Page 634; and
- ii. Easement and restrictions for the Sergeants Green Homeowners Association, recorded on February 6, 2014 in the Hunterdon County Clerk's Office in Deed Book 2325, page 640
- iii. Walkway easement, along Block 39, Lot 19, dated June 10, 2013 and recorded on December 26, 2013 in Deed Book 2323, Page 608.

SECTION 3. The following easements or other property interests are not intended to be vacated or released by this ordinance:

- a. A ROW easement located 25' from the centerline of Rittenhouse Road to be dedicated to the Township as part of the Subdivision Approval for public roadway purposes along the length of Block 39, Lots 19, 19.01-19.09 and 19.13 and along the length of Block 39.01, Lots 19.10-19.12.
- b. Maintenance easements dedicated to the County of Hunterdon and recorded in Deed Book 2203, Page 230 and in Deed Book 2203, Page 232.
- d. Rights of public utilities in Rittenhouse Road, if any exist.

SECTION 4. Copies of proposed documents setting forth property interests being vacated, retained or acquired by this ordinance shall be made available for public inspection in the Township Clerk's office during regular business hours.

SECTION 5. The Mayor, Deputy Mayor, Township Clerk, Township Engineer and/or Township Attorney, as applicable, are hereby authorized and directed to take all reasonable, necessary and lawful steps necessary to effectuate the purposes of this ordinance, including the execution of any and all necessary documents in the manner and subject to the terms and conditions specified above, subject to the Township Attorney's approval of the form and substance of said documents. This grant includes the authority to make non-material changes to the terms described herein as may be necessary to satisfy legal requirements.

SECTION 6. This Ordinance shall become effective immediately upon final adoption and publication in accordance with the laws of the State of New Jersey and after notice is given pursuant to N.J.S.A. 40:49-6. This Ordinance shall be recorded in the Hunterdon County Clerk's ordinance, along with the vacation deeds or other instruments releasing the Township's interests as set forth above.

Joseph Vocke, Mayor

ATTEST:

Jodi McKinney
Township Clerk
May 13, 2019

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held on May 13, 2019. It will be considered on second reading for final adoption at a regular meeting to be held on May 28, 2019, beginning at 7:30 P.M. at 570

Rosemont-Ringoes Road, Sergeantsville, New Jersey. At that time, an opportunity will be given for all interested citizens to be heard.

Mr. Waltman motioned to open the public hearing on Ordinance #2019-12 to the public, Mrs. Lockwood seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mr. Herman motioned to close the public hearing on Ordinance #2019-12 to the public, Mr. Waltman seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mrs. Lockwood asked for clarification from Attorney Dragan on if the Township has legal authority to vacate the conservation easements.

Mrs. McKinney verified with Attorney Dragan that the wording on this ordinance is correct.

Mr. Herman motioned to approve Ordinance #2019-12 on second reading, and Mr. Waltman seconded the motion for second reading by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke
Nays - None
Abstain – None

ORDINANCE 2019-13- FIRST READING

DELAWARE TOWNSHIP
ORDINANCE #2019-13

A CAPITAL ORDINANCE OF THE TOWNSHIP OF DELAWARE, COUNTY OF HUNTERDON, AND STATE OF NEW JERSEY TO AUTHORIZE AN EXPENDITURE AND APPROPRIATION FROM THE RESERVE FOR POLICE EQUIPMENT/VEHICLES FOR THE PURCHASE OF POLICE EQUIPMENT IN THE AMOUNT OF \$28,000.00.

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

Section 1. Delaware Township has a need to update its fingerprint machine. Delaware Township hereby authorizes an appropriation and expenditure for Live Scan Electronic Fingerprint machine and needed accessories, in an amount not to exceed \$28,000.00; and,

Section 2. Total amount to be expended from the Reserve for Police Equipment/Vehicles shall not exceed \$28,000.00.

Section 3. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 4. This Ordinance shall take effect immediately upon adoption in accordance with the laws of the State of New Jersey.

Joseph Vocke, Mayor

ATTEST:

Jodi McKinney, RMC
Township Clerk
May 28, 2019

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held May 28, 2019. It will be considered on second reading for final adoption at a regular meeting to be held June 10, 2019, 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.

Mr. Waltman motioned to approve Ordinance #2019-13 on first reading, and Mrs. Lockwood seconded the motion for first reading by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke
 Nays - None
 Absent: None

ORDINANCE 2019-14- FIRST READING

DELAWARE TOWNSHIP
ORDINANCE #2019-14

A CAPITAL ORDINANCE OF THE TOWNSHIP OF DELAWARE, COUNTY OF HUNTERDON, AND STATE OF NEW JERSEY TO AUTHORIZE AN EXPENDITURE AND APPROPRIATION FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF ROAD IMPROVEMENTS IN THE AMOUNT OF \$137,000.00.

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

Section 1. Delaware Township has a need to chip, tar and make improvements on various roads including but not limited to Pine Hill Road, Buchanan Road, Featherbed Lane, Grafton Road, Hewitt Road, Pavilica Road, Reading Road and Upper Creek Road in Delaware Township in order to maintain our road system. Delaware Township hereby authorizes an appropriation and expenditure for labor and materials to make improvements on various township roads, in an amount not to exceed \$137,000.00; and,

Section 2. Total amount to be expended from the capital improvement fund shall not exceed \$137,000.00.

Section 3. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 4. This Ordinance shall take effect immediately upon adoption in accordance with the laws of the State of New Jersey.

Joseph Vocke, Mayor

ATTEST:

Jodi McKinney, RMC
Township Clerk
May 28, 2019

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held May 28, 2019. It will be considered on second reading for final adoption at a regular meeting to be held June 10, 2019, 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.

Mr. Waltman motioned to approve Ordinance #2019-14 on first reading, and Mr. Herman seconded the motion for first reading by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke
Nays - None
Absent: None

RESOLUTION 2019-47 –

DELAWARE TOWNSHIP
RESOLUTION #2019-47

WHEREAS, Delaware Township requested proposals for **Zentek Road Drainage Project**; and

WHEREAS, five (5) bids were received on May 7, 2019; and

WHEREAS, the bids have been reviewed by the Township Engineer and a recommendation has been made that the contract be awarded to the lowest responsive and responsible bidder under Local Public Contracts Law, **Messercola Excavating, Inc.** and

WHEREAS, The Chief Financial Officer has certified the availability of funds for this project;

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

1. Authorization for construction of Zentek Road Drainage project is hereby awarded to **Messercola Excavating, Inc.** as provided in its proposal in the amount of **\$79,642.00**
2. Messercola Excavating, Inc. shall provide satisfactory proof of insurance and such documentation as requested.
3. The Delaware Township Mayor is hereby directed to sign for and on its behalf the proposal for MC Project No. DPT-124 submitted **by** Messercola Excavating, Inc.
4. The Delaware Township Clerk of this body is hereby directed to seal said proposal with the corporate seal of this body and to attest to the same.

ATTEST:

Jodi McKinney, Clerk
May 28, 2019

Joseph Vocke, Mayor

I, Diane Soriero McDaniel, Chief Financial Officer of the Township of Delaware, do hereby certify that funds for this contract are available from the General Capital Fund.

Diane Soriero McDaniel, CFO

I, Jodi McKinney, Township Clerk, do hereby certify this to be a true copy of a resolution adopted by the Delaware Township Committee on May 28, 2019.

Jodi McKinney, Clerk

Mr. Waltman motioned to open a discussion on Resolution #2019-47. Mr. Herman seconded the motion, and the members approved the motion by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke
Nays - None

Absent – None

RESOLUTION 2019-48 –

DELAWARE TOWNSHIP
RESOLUTION #2019-48

WHEREAS, Delaware Township Committee has awarded bids for the 2018 Maintenance and Repair Materials as part of the Joint Road Maintenance Agreement with Kingwood and Franklin Townships; and

WHEREAS, A need exists to extend the Agreement for an additional year; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delaware, County of Hunterdon and State of New Jersey that pursuant to Section VIII of the bid specifications for 2018, the Township of Delaware Committee is exercising its option to extend the contracts for an additional 12 months, for the year 2019, based on the same terms and conditions.

ATTEST:

Jodi McKinney, Clerk
May 28, 2019

Joseph Vocke, Mayor

Mr. Waltman motioned to open a discussion on Resolution #2019-48. Mrs. Lockwood seconded the motion, and the members approved the motion by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke
Nays - None
Absent – None

RESOLUTION 2019-49 –

DELAWARE TOWNSHIP
RESOLUTION #2019-49

WHEREAS, the Delaware Township Tax Collector held a tax sale on June 7, 2016; and

WHEREAS, at said sale Tax Sale Certificate #2016-000 for property known as Block 26.01 Lot 2.01– 575 County Road 579, Assessed Owner: Sievers, Marianne C was sold to US Bank Cust. for PC 4 Firstrust Bank, and

WHEREAS, the property owner has requested to redeem TSC #2016-000; and

WHEREAS, payment has been received by the Tax Collector for redemption of TSC #2016-000 in the amount of \$58,705.39;

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 \$58,705.39 and also refund the premium of \$34,000.00 to: US Bank Cust for PC4 Firstrust Bank, 50 S 16th St, Suite 2050, Philadelphia, PA 19102;

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

ATTEST:

Joseph Vocke, Mayor

Jodi McKinney, Clerk

Danene L. Gooding, CTC
Tax Collector

CERTIFICATION

I, Jodi McKinney, 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 #2019-49 adopted by the Township Committee of the Township of Delaware, in the County of Hunterdon, in the State of New Jersey on May 28, 2019.

Jodi McKinney, Clerk

Mr. Waltman motioned to open a discussion on Resolution #2019-48. Mrs. Lockwood seconded the motion, and the members approved the motion by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke
Nays - None
Absent – None

REVIEW OF MEETING DATES

The Township Committee reviewed the meeting dates.

MEETING OPEN TO THE PUBLIC

Mr. Richard Macomber asked if the Township Energy Aggregation Committee has signed an agreement with Clear Choice.

Mrs. Lockwood stated that the Township and/or the Energy Aggregation has not signed any agreement with Clear Choice or any other company. Mrs. Lockwood stated the Township has only agreed for the Consultant to start the process for bidding for energy.

FINAL COMMENTS OF THE TOWNSHIP COMMITTEE

Mr. Herman stated that the State would like to have an Air Quality report that will consist of when air filters are changed, when heating system and air conditioner have been serviced, etc.

The Township Committee confirmed the Director of the Department of Public Works will be responsible to fulfill the State Air Quality report and maintain the documents needed to fulfill these requirements.

Mr. Herman stated the ordinance and resolutions creating the Open Space Tax and the Open Space Trust Fund show no indication that Township residents have voted to allow the Open Space Tax to be used for the maintenance of an open space property. Mr. Herman stated Hunterdon County does permit their Open Space Tax Fund to be used for the maintenance of open space facilities. As part of the municipal grant program, they allow the funds from the County Open Space Tax to be used by the municipality for maintenance or improvements as long as that municipality has filed an Open Space Improvement and Maintenance Plan with the County Open Space Advisory Committee. Mr. Herman stated the Open Space Coordinator will

continue to research this issue to confirm that the County Open Space tax can help support the maintenance needed at Dilts Park.

Mr. Herman reported Eagle Scout, Vincent Colalillo is interested in creating an Eagle Scout project in Delaware Township. Mr. Herman will request that Mr. Colalillo attend a Delaware Township Committee meeting to present the project for approval to the Township Committee.

APPROVAL OF BILL LIST

Members reviewed and approved the following vouchers for payment for \$255,906.91 at the Regular Meeting of the Delaware Township Committee meeting held on May 28, 2019. Mr. Herman motioned to approve payment of the bills on the bill list. Mr. Waltman seconded the motion. Members approved the motion to pay the bills by roll call vote.

BE IT RESOLVED by the Township Committee of the Township of Delaware, County of Hunterdon, and State of New Jersey that the May 28, 2019 vouchers be paid.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke
Nays - None
Abstain – None

EXECUTIVE SESSION –

RESOLUTION AUTHORIZING CLOSED SESSION
DELAWARE TOWNSHIP COMMITTEE

BE IT RESOLVED by the Township Committee of the Township of Delaware in Hunterdon County, New Jersey follows:

1. The Township Committee will now convene in a closed session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to Section 7B of the Open Public Meetings Act.

2. The general nature of the subjects to be discussed in this session is as follows:

- TO DISCUSS A MATTER OF DPW JOB POSITIONS, PERFORMANCE, SALARY, AND REVIEW OF OVERALL TOWNSHIP PROJECTS – MR. TRSTENSKY

1. It is unknown precisely when, if ever, the matters discussed in this session may be disclosed to the public; and matters involving personnel evaluations may not ever be released. Approval of any agreement with any bargaining unit shall only take place by action of the governing body in a public session.

ATTEST:

Jodi McKinney
Township Clerk
May 28, 2019

Joseph Vocke, Mayor

Mr. Herman motioned to approve the foregoing resolution. Mr. Waltman seconded the motion, and members unanimously approved the resolution by all in favor vote.

RETURN TO OPEN SESSION

Mayor Vocke announced that all items in executive shall remain in Executive Session.

Mr. Waltman motioned to return to open session. Mr. Herman seconded the motion, and members unanimously approved the motion by all in favor vote.

ACTION TAKEN FROM EXECUTIVE SESSION, IF ANY

No action was taken

ADJOURNMENT

Members motioned, seconded, and members unanimously approved a motion to adjourn the meeting at 9:20 p.m.

Respectfully submitted,

Jodi McKinney, RMC
Township Clerk

Approved: (June 10, 2019)

Joseph Vocke, Mayor