



DELAWARE TOWNSHIP

COMMITTEE MINUTES

FEBRUARY 10, 2020 – 7:30 P.M.

Mayor Charles Herman called the regular meeting of the Delaware Township Committee to order on February 10, 2020 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 Herman 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 3, 2020.

ROLL CALL

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

APPROVAL OF MINUTES FROM JANUARY 27, 2020 TOWNSHIP COMMITTEE MEETING

Mr. Waltman motioned to approve the minutes from the Township Committee meeting of January 27, 2020. Mrs. Lockwood seconded the motion.

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

TOWNSHIP COMMITTEE REPORTS

NEWSLETTER

Mrs. Lockwood reported the next edition of the newsletter went to the printer and should be mailed out shortly.

POLICE DEPARTMENT

Mr. Waltman stated Police Chief Cane has been approached by East Amwell Township with the request to create an agreement with Delaware Township Police Department for traffic and speed enforcement services (Ringoes area only). Mr. Waltman stated Delaware Township would receive half of the ticketing revenue from this additional area. Mr. Waltman stated Chief Cane does not feel this extra patrol area would impact Delaware Township's current manpower since this request is only for traffic and speed enforcement services for this side of East Amwell Township (Ringoes area only).

Mayor Herman stated this would be the same agreement Delaware Township Police Department currently has with Stockton Borough.

Mrs. McKinney stated this would need to be an agreement and would have very similar wording as the Stockton Borough agreement.

DPW

Mr. Kwasnik reported DPW is currently cleaning ditches. Mr. Kwasnik stated the Ash Tree removal work that DPW is currently working on in Dilt's Park is progressing and the wood will remain at Dilt's Park and not be moved to the public works site.

Mr. Kwasnik stated a resident on Strimple Mills Road called in a flooding issue on this road. Mr. Kwasnik, Mr. Roseberry and Mr. Trstensky will be meeting to walk this area and create a plan to address the flooding issues.

RECREATION COMMISSION

Mayor Herman stated the Recreation Commission has made an agreement with Delaware Township Schools to run the Summer Recreation Camp the Monday after school lets out for the Summer. Mayor Herman stated the camp will only be for two weeks this year due to the school construction.

PLANNING BOARD

Mayor Herman reported Ms. Rosalind Westlake will remain the Chairperson for the Planning Board Committee, an alternate will be moving up to a member position and a new alternate will be named.

8TH GRADE ESSAY CONTEST

Mayor Herman suggested the Township Committee make a change to the Delaware Township 8th grade essay contest to help increase the amount of student participation. Mayor Herman suggested a community leadership award instead of an essay contest.

Mr. Vocke will discuss the changes to the 8th grade award with the Delaware Township School administration and report back.

JCP&L UPDATE

Mr. Stan Prater from JCP&L presented Delaware Township Committee with an update on the rate increase that financed the Liability Improvement project. Mr. Prater stated the current fuses are being replaced with smart fuses. Mr. Prater stated these new fuses work as trip savers and are fuses that open and close to help sense power issues. Mr. Prater stated the new fuses help isolate power outages to a smaller section of the outage area. Mr. Prater stated three have been installed in Delaware Township and there are 12 more scheduled to be installed in the first quarter of this year. Mr. Prater stated the tree trimming projects are still currently being conducted. Mr. Prater reported several Delaware Township residents are refusing JCP&L tree trimming requests and this will not help with power outages.

Mayor Herman asked Mr. Prater to please send a list of these properties that are refusing tree trimming and the Township Committee will discuss this issue with these residents.

Mayor Herman asked if residents have any dangerous tree issues should they report these trees issues to JCP&L.

Mr. Prater stated if the Township receives calls about dangerous trees or limb the Township can call or email Mr. Prater the address. Mr. Prater stated a tree specialist through JCP&L will come and evaluate the tree.

Mrs. Lockwood stated a live wire fell at 10:20 a.m. on Friday during the rain/wind storm and this remained live and dangerous until 9:15 p.m. Mrs. Lockwood stated JCP&L was notified immediately due to the wire arcing, causing fire and sparks. Mrs. Lockwood stated JCP&L advised to contact the fire company.

The Township Committee discussed the procedure with Mr. Prater that Delaware Township should take to help a situation of live wires be addressed in a more timely and urgent manner due to the increase in danger.

Mr. Prater stated residents can call the live wire in and/or report the live wire down on the JCP&L website. Mr. Prater stated JCP&L has equipped all the local Police and Fire Departments with procedures and a special emergency number to call to report dangerous wires and the Hunterdon County Operation for Emergency Management also can be notified. The Hunterdon County Operation for Emergency Management compiles lists of wires down during storms and calls JCP&L to report any live wires. Mr. Prater stated this process helps create a chain of command for issues such as live wires being down.

MEETING OPEN TO THE PUBLIC FOR COMMENTS ON AGENDA ITEMS ONLY

No Comments were made on agenda items.

ORDINANCE #2020-01

DELAWARE TOWNSHIP
ORDINANCE #2020-01

BOND ORDINANCE PROVIDING FOR THE LOWER FERRY ROAD IMPROVEMENT PROJECT IN AND BY THE TOWNSHIP OF DELAWARE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$245,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$245,000 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 \$245,000, including a grant expected to be received from the State of New Jersey Department of Transportation in the amount of \$100,000 (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 \$245,000 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 the Lower Ferry Road Improvement Project, including, but not limited to, resurfacing, curbing and striping and further including all additional and related 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 or will be 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 \$245,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$49,000 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(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.

ATTEST:

Jodi McKinney, RMC, CMC
Township Clerk
February 10, 2020

Charles Herman, Mayor

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held February 10, 2020. It will be considered on second reading for final adoption at a regular meeting to be held February 24, 2020, 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.

Mrs. Lockwood motioned to approve Ordinance #2020-01 on first reading, and Mr. Waltman seconded the motion for first reading by roll call vote.

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

RESOLUTION #2020-22 –

DELAWARE TOWNSHIP
RESOLUTION #2020-22

WHEREAS, various 2019 bills have been presented for payment this year, which bills represent obligations of the prior fiscal year and were not covered by order number and/or recorded at the time of transfer between the 2019 budget in the last two months of 2019; and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpected balances carried forward after the close of the fiscal year are available, until lapsed at the closed of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpected balances to those which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Delaware Township, in the County of Hunterdon, State of New Jersey, (2/3 of the majority of the full membership concurring herein) that the transfers in the amount of \$680.00 be made between the 2019 Budget Appropriation Reserves as follows:

	<u>FROM</u>	<u>TO</u>
Shade Tree Commission (2019)	\$ 50.00	
Building & Grounds (2019)	\$630.00	
Electric (2019)		\$630.00
Environmental Commission (2019)		\$ 50.00

ATTEST:

Jodi McKinney, RMC, CMC
Township Clerk
February 10, 2020

Charles Herman, Mayor

CERTIFICATION

I, Jodi McKinney, do hereby certify that the foregoing is a true copy of a resolution adopted by The Township Committee at a meeting held on the 10th day of February, 2020.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 10th day of February, 2020.

Jodi McKinney, RMC, CMC
Township Clerk

Mr. Waltman motioned to approve Resolution #2020-22. Mrs. Lockwood seconded the motion, and the members approved the motion by roll call vote

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

AUTHORIZATION OF THE SHARED SERVICE AGREEMENT WITH STOCKTON BOROUGH FOR CONSTRUCTION CODE SERVICES 01/01/20 – 12/31/20

Mr. Waltman motioned for the authorization of the shared service agreement with Stockton Borough for the construction code services. Mrs. Lockwood seconded motion, and the members approved the motion by roll call vote

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

AUTHORIZATION FOR THE APPOINTMENT OF MARIO RUSSO FOR A VACANT POSITION ON THE DTMUA

Mr. Vocke motioned to authorize the appointment of Mario Russo for the vacant position on DTMUA. Mrs. Lockwood seconded motion, and the members approved the motion by roll call vote

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

AUTHORIZATION FOR A SPECIAL EVENT APPLICATION FOR KERMESSE SPORT SOURLAND SEMI-CLASSIC RECREATIONAL BIKE RIDE ON FEBRUARY 23, 2020

Mrs. Lockwood motioned to authorize the special event application for Kermesse Sport Sourland Semi-Classic Recreational bike ride on February 23, 2020. Mr. Vocke seconded motion, and members unanimously approved the motion by all in favor vote.

AUTHORIZATION FOR A SPECIAL EVENT APPLICATION FOR KERMESSE SPORT HUNTERDON RECREATIONAL BIKE RIDE ON APRIL 5, 2020

Mrs. Lockwood motioned to authorize the special event application for Kermesse Sport Hunterdon Recreational bike ride on April 5, 2020. Mr. Vocke seconded motion, and members unanimously approved the motion by all in favor vote.

BUDGET DISCUSSION

Mr. Waltman stated a request has been made by the Stockton Fire Department asking Delaware Township to increase the current Delaware Township Yearly Donation of \$43,000.00 by an additional \$50,000.00 to help offset the cost of Stockton's new fire truck.

The Township Committee discussed the additional donation and have agreed that Delaware Township can't afford the \$50,000.00 for the additional donation and will review adding to the yearly donation during the budget meetings and discussions.

REVIEW OF MEETING DATES

The Township Committee reviewed meeting dates.

MEETING OPEN TO THE PUBLIC

Ms. Lori Sabat, Sandy Ridge Road, inquired about an update on the group home situation.

Mayor Herman stated Mr. Waltman and he tried to go to as many Sandy Ridge Road residents as possible at the end of last week to deliver a letter of explanation on the current status of issues with the group home on Sandy Ridge Road. Mayor Herman stated changes have been made in terms of additional staffing and the removal of one of the residents of the group home. Mayor Herman stated the Delaware Township Police Department and the Allies Management Group have been working together to make the necessary changes that are needed at this facility. Mayor Herman stated this issue will continue to be reviewed and additional changes will be requested to Allies Management Group if any future issues are observed.

Mr. Wohl asked if the Group Homes in Delaware Township were approved by the Zoning Board.

Mr. Chuck Cline stated they were approved by the Delaware Township Zoning Board many years ago. Mr. Cline stated an application for a variance was submitted and approved before the Group home was approved by the State.

Mr. Wohl stated he is not here about the group home issue but has concerns that the Township has taken immediate action on this zoning issue but yet he and his clients have had zoning issue for an extended period of time and the Township has not taken any action. Mr. Wohl stated he has requested the Township Committee and the Township Zoning Officer to take action on Zoning issues. Mr. Wohl stated in this group home situation the Township Committee immediately took action on this zoning issue but yet refuses to take action on previous zoning issues.

Mayor Herman stated that these two situations are not connected in anyway and to try to connect these two situations as a zoning issue is way off base. Mayor Herman stated Delaware Township is not dealing with a zoning issue it is dealing with a public safety issue.

Mr. Wohl stated in short of taking legal action how does he get the Delaware Township Zoning officer to do his job and take action on Zoning issues.

Mayor Herman stated the Delaware Township Zoning officer is doing the job and if your client is having issues it is not appropriate discussion for tonight's Township Committee Meeting. Mayor Herman suggested Mr. Wohl contact the Township Attorney Joseph Tauriello to discuss his client's legal matters.

Mr. Wohl stated the Delaware Township home values are lower than neighboring Townships. Mr. Wohl suggested Delaware Township Committee might want to hire a PR firm to help promote Delaware Township to help with home values.

FINAL COMMENTS OF THE TOWNSHIP COMMITTEE

Mrs. Lockwood stated a letter and opt out card has been mailed to all residents, without solar, giving information on the Energy Aggregation program and how the process works. Mrs. Lockwood stated residents can opt out at any time and there is no opt out deadline. Mrs. Lockwood stated the new rate will start in April 2020 and the residents will see the savings in their May 2020 JCP&L bill. Mrs. Lockwood stated due to Delaware Township entering a group that was already established the current Energy Aggregation agreement will expire in October of

2020. Mrs. Lockwood stated the Energy Aggregation Consultants will then go back out to bid on the electric rate at that time. Mrs. Lockwood stated the new agreement and new rate will then increase to a 12 to 18-month agreement.

Mayor Herman stated a section of the stone wall on the parking lot side of the Municipal Building has fallen a review and pricing for this repair will be needed.

Mr. Kwasnik will discuss this project with the Township Engineer and Mr. Trstensky to create a plan for the repair and request quotes to have the wall repaired or replaced.

Mayor Herman stated a local Girl Scout troop is replacing the water fountain at Dilt's Park. Mayor Herman stated the Girl Scouts have received a donation for free plumbing from a local company and are looking for donations to help offset the cost of supplies. Mayor Herman suggested Delaware Township donate funds towards the materials for this project.

APPROVAL OF BILL LIST

Members reviewed and approved the following vouchers for payment in the amount of \$110,708.65 at the Regular Meeting of the Delaware Township Committee held on February 10, 2020. Mr. Waltman moved to approve payment of the bills on the bill list. Mrs. Lockwood 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 February 10, 2020 vouchers be paid.

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

ADJOURNMENT

Members motioned, seconded, and unanimously approved a motion to adjourn the meeting at 8:28 p.m.

Respectfully submitted,

Jodi McKinney, RMC, CMC
Township Clerk

Approved: (February 24, 2020)

Charles Herman, Mayor