



## **DELAWARE TOWNSHIP** **COMMITTEE MINUTES** **March 9, 2020 – 7:30 P.M.**

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Mayor Charles Herman called the regular meeting of the Delaware Township Committee to order on March 9, 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: Daniel Kwasnik, James Waltman, Susan Lockwood, Charles Herman

Absent: Joe Vocke

### **APPROVAL OF MINUTES FROM FEBRUARY 24, 2020 TOWNSHIP COMMITTEE MEETING**

Mr. Waltman motioned to approve the minutes from the Township Committee meeting of February 24, 2020. Mrs. Lockwood seconded the motion.

Roll Call Vote: Ayes – Waltman, Lockwood, Herman

Nays - None

Abstain: Kwasnik

Absent: Vocke

### **TOWNSHIP COMMITTEE REPORTS**

#### **Energy Aggregation**

Mrs. Lockwood stated she attended the Kingwood informational session for residents last week.

#### **Historical Advisory Committee**

Mrs. Lockwood stated there is information that has been forwarded to Mrs. McKinney showing the goals and an agenda for when the Historical Advisory Committee was formed in January 2010.

The Township Committee discussed the Municipal main door key for entering the building and the key for the cabinets of Historical items. Mayor Herman suggested the main key should be in the possession of the committee chairperson. Mrs. McKinney stated the cabinet key will be available to the requester to review historical items during regular business hours.

#### **2020 Budget**

Mr. Waltman stated the Finance Committee and Ms. McDaniel met to review the 2020 Budget.

Mr. Waltman stated after reviewing the requests from all the various departments, it was determined there would need to be a tax increase of a \$142,000.00 for the 2020 year. Mr.

Waltman stated this equates to about \$1.56. Mr. Waltman stated the Township can do permanent

financing for some of the note debt and by utilizing permanent financing there could be a savings of approximately \$76,600.00. Mr. Waltman stated if permanent financing is chosen the Townships tax rate increase for 2020 would be lowered to .61 cent.

Ms. McDaniel stated the Township has 3.3 million from notes that can be switched to permanent financing. Ms. McDaniel stated this is the perfect time since interest rates are very low. Ms. McDaniel stated the \$76,600.00 would need to be paid back over 9.5 years. Ms. McDaniel explained that in 2020 there would be no principle payment.

Mr. Waltman stated there are other areas that the Township could potentially save funds. Mr. Waltman stated the Pipeline legal fees could be reduced since the Township will be using Attorney Tauriello.

The Township Committee discussed the history of pipeline legal and consultant expenses.

The Township Committee discussed the list of chip seal roads for 2020. The Township Committee discussed reducing the list and /or not conducting the chip seal road projects for 2020 to reduce the increase for taxes to a flat rate.

Mr. Kwasnik stated he will be doing a driving review of roads with Mr. Trstensky.

Ms. McDaniel suggested Mr. Roseberry also be included in the driving review of Township roads.

Mr. Waltman stated the Township will be introducing the 2020 Budget at the March 30, 2020 meeting.

Mayor Herman suggested the Township Committee members email their suggestions on reducing the budget to the Finance Committee, as soon as possible, so the 2020 Budget is ready for Introduction at the March 30, 2020 Township Committee meeting.

### **Roads**

Mr. Kwasnik stated a resident reported the snow fence falling down at the County Rt. 523 location. Mr. Trstensky stated the DPW will be taking the snow fence down at this location since the Winter months are almost over.

Mr. Kwasnik stated the DPW employees are currently proceeding with ditch clean-out and preparing equipment for the Spring & Summer months.

### **Sidewalk project**

Mayor Herman stated the Township is awaiting an update on start date for the Sidewalk Project now that the weather is breaking. Mayor Herman stated the Township Engineer has reached out to the company doing the project to request an updated time line.

### **MEETING OPEN TO THE PUBLIC FOR COMMENTS ON AGENDA ITEMS ONLY**

Mr. Chuck Cline stated concerns with the Township Committee reducing the 2020 Budget causing the Township not to have funds for emergencies.

Mrs. Lockwood stated she has concerns with cutting the budget to a flat rate and then having to increase the budget for 2021 due to lack of funds. Mrs. Lockwood stated residents would prefer a slow and steady increase than a flat rate and a bigger increase the next year to help off-set costs.

Mr. Waltman stated the Township will be increasing the Capital Reserve in 2020.

### **ORDINANCE #2020-02 –SECOND READING**

### **DELAWARE TOWNSHIP**

**ORDINANCE #2020-02**

WHEREAS, the Local Government Cap Law, NJSA 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5 percent (2.5%) unless authorized by ordinance to increase it to three and one-half percent (3.5%) over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, NJSA 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the three and one-half (3.5%) percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Governing Body of the Township of Delaware in the County of Hunterdon finds it advisable and necessary to increase its CY 2020 budget by up to three and one half percent (3.5%) over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Governing Body hereby determines, that a three and one half percent (3.5%) increase in the budget for said year, amounting to \$37,141.91 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Governing Body of the Township of Delaware hereby determines that any amount authorized hereinabove that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NEW, THEREFORE BE IT ORDAINED, by the Governing Body of the Township of Delaware, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Township of Delaware shall, in accordance with the ordinance and NJSA 40A:4-45.14 be increased by 3.5%, amounting to \$129,996.70, and that the CY 2020 municipal budget for the Township of Delaware be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote thereon, be filed with said Director within five (5) days after such adoption.

\_\_\_\_\_  
Charles Herman, Mayor

ATTEST:

\_\_\_\_\_  
Jodi McKinney, RMC, CMC  
Township Clerk  
February 24, 2020

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held February 24, 2020. It will be considered on second reading for final adoption at a regular meeting to be held March 9, 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 open the public hearing on Ordinance #2020-02 to the public, Mr. Kwasnik seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mrs. Lockwood motioned to close the public hearing on Ordinance #2020-02 to the public, Mr. Kwasnik seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mrs. Lockwood motioned to approve Ordinance #2020-02 on second reading, and Mr. Waltman seconded the motion for second reading by roll call vote.

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

**RESOLUTION #2020-28** –

**DELAWARE TOWNSHIP**  
**RESOLUTION #2020-28**

**WHEREAS**, an emergent condition has arisen in that the Township is expected to enter in contracts, commitments or payments prior to the 2020 Budget, and no adequate provision has been made in the 2020 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2020 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A 40A:4-20) including this resolution total of \$20,000:

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Delaware (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A: 4-20:

1. Emergency temporary appropriation be and the same is hereby made in the amount of current \$20,000 as follows:

Reserve for Police Vehicles	\$20,000.00
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2. That said emergency temporary appropriation will be provided for in the 2020 budget.
3. That one certified copy of this Resolution be filed with the Director of the Division of Local Government Services.

**ATTEST:**

\_\_\_\_\_  
Jodi McKinney, RMC, CMC  
Township Clerk  
March 9, 2020

\_\_\_\_\_  
Charles Herman, Mayor

Mr. Waltman motioned to approve Resolution #2020-28. Mr. Kwasnik seconded the motion, and the members approved the motion by roll call vote

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

**ORDINANCE #2020-03 –FIRST READING**

**DELAWARE TOWNSHIP**

**ORDINANCE #2020-03**

AN ORDINANCE OF THE TOWNSHIP OF DELAWARE, COUNTY OF HUNTERDON, AND STATE OF NEW JERSEY TO AUTHORIZE AN EXPENDITURE AND APPROPRIATION FROM RESERVE FOR POLICE VEHICLE/ EQUIPMENT \$40,000.00 FOR THE PURCHASE OF A FORD SSV F150 4X4 CREW CAB AND ACCESSORIES

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 for a police vehicle; and,

Section 2. Delaware Township hereby authorizes an appropriation and expenditure for the vehicle to exceed \$40,000.00; and,

Section 3. Total amount to be expended from Reserve for various equipment shall not exceed \$40,000.00.

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

\_\_\_\_\_  
Charles Herman, Mayor

ATTEST:

\_\_\_\_\_  
Jodi McKinney, RMC, CMC  
Township Clerk  
March 9, 2020

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held March 9, 2020. It will be considered on second reading for final adoption at a regular meeting to be held March 30, 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.

Mr. Waltman motioned to approve Ordinance #2020-03 on first reading, and Mrs. Lockwood seconded the motion for first reading by roll call vote.

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

**STATE UPDATE ON CORONAVIRUS**

Mayor Herman participated in Coronavirus update given by Governor Phil Murphy, Judith M. Persichilli Health Department Commissioner, and Dr. Tina Tan NJ State Epidemiologist about the Coronavirus update teleconference. Mayor Herman stated they reviewed the resources the State of NJ is providing. Mayor Herman stated he has also been following the resources that Hunterdon County is currently putting in place. Mayor Herman recommended the Township place links on the Township Website to Hunterdon County, NJ State and the CDC for residents to access current information regarding the Coronavirus. Mayor Herman will send the links to the website company and request these be added for residents to access on the Township information page. Mayor Herman stated that once there is a confirmed case in Hunterdon County the schools will need to make decisions. Mayor Herman asked all employees of the Township stay home if they are ill and the Township will make decisions as needed in the future to help protect the employees and residents. Mayor Herman stated the cancellation of the Senior meeting will be decided closer to the April meeting date.

Mayor Herman stated the following guidelines that were given:

- Avoid close contact with others
- Wash hand frequently with soap and water
- Clean all surfaces frequently
- If ill, please stay home
- Read the CDC travel advisory

### **ENVIRONMENTAL COMMISSION UPDATE**

Ms. Klink reviewed with the Township Committee events that were hosted by the Environmental Commission in 2019 and a chart showing the following numbers:

192 adult participants  
35 event hours  
581 total hours  
\$25.43 volunteer rate/hour  
14,774.83 total value

Mayor Herman stated this information will be added to the new Environmental Commission section on the Township's website soon.

### **REVIEW OF MEETING DATES**

The Township Committee reviewed meeting dates.

### **MEETING OPEN TO THE PUBLIC**

Mr. Chuck Cline asked how a resident can be added to the mailing list for the newsletter.

Mrs. Lockwood stated the resident can send their name and address to her and she will add them to the mailing list.

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

Mrs. Lockwood stated the Newsletter has been mailed out to residents.

Mr. Waltman clarified the Township is improving its surplus and that the Township is not reducing money for future expenses. Mr. Waltman stated the Township keeping the 2020 tax rate flat rather than increasing taxes by .61 cents can possibly be achieved by taking one chip seal road project off the 2020 road list.

Mayor Herman stated he understands both Mrs. Lockwood and Mr. Waltman's opinion on this flat vs. slow and steady tax increase and recommended the Township Engineer give the Township Committee an opinion on the benefits of doing chip seal on the Township roads vs. not performing a chip seal on the Township roads. Mayor Herman stated what is the real value of doing the chip seal process.

Ms. McDaniel stated the \$260,000.00 in reserve for capital improvement in the 2020 budget will also need to be available for other municipal items not just the road projects. Ms. McDaniel stated the Township Committee will need to increase the tax rate to help offset other projects that the Township will need to complete in 2020 not just roads.

The Township Committee discussed other items, the Municipal Building and in the Township additional projects that would also need to be funded from the \$260,000.00 in the Capital Improvement fund.

Mayor Herman stated he attended the Eagle Scout promotion ceremony for Vincent Colalillo. Mayor Herman requested Mr. Vincent Colalillo attend a Township Committee meeting to be honored for his Eagle Scout achievement and thanked properly for his project that was completed at Dilt's park.

Mayor Herman thanked Eagle Scout, Ethan Gillespie for his hard work on the Bocce Ball Court project at Dilt's Park.

Mr. Gillespie stated he is currently in the final stages of completing this project.

### **APPROVAL OF BILL LIST**

Members reviewed and approved the following vouchers for payment in the amount of \$2,252,667.83 at the Regular Meeting of the Delaware Township Committee held on March 9, 2020. Mrs. Lockwood moved 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 March 9, 2020 vouchers be paid.

Roll Call Vote: Ayes – Vocke, Kwasnik, Waltman, Lockwood, Herman  
Nays - None  
Absent: 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 PERSONNEL MATTERS
- TO DISCUSS LITIGATION MATTERS

3. 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, RMC, CMC  
Township Clerk  
March 9, 2020

\_\_\_\_\_  
Charles Herman, Mayor

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

### **RETURN TO OPEN SESSION**

Mr. Waltman motioned to come out of Executive Session. Mr. Kwasnik seconded the motion, and members unanimously approved the motion by all in favor vote.

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

Mr. Waltman motioned to authorize an edited version of the job posting for Board of Health Secretary/Administrative Assistant. Mr. Kwasnik seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mrs. McKinney will email all members the edited version for final review.

**ADJOURNMENT**

Members motioned, seconded, and unanimously approved a motion to adjourn the meeting at 8:35 p.m.

Respectfully submitted,

Jodi McKinney, RMC, CMC  
Township Clerk

Approved: (March 30, 2020)

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Charles Herman, Mayor