



**DELAWARE TOWNSHIP COMMITTEE**  
**REGULAR MEETING MINUTES**  
**September 28, 2020 – 7:30 PM**

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Mayor Charles Herman called the regular meeting of the Delaware Township Committee to order on September 28, 2020 at 7:30 PM. Mayor Herman announced that this meeting is called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was faxed to the Hunterdon County Democrat, Trenton Times, Courier News and the Star Ledger; was posted on the bulletin board in the Municipal Building and filed with the Township Clerk on January 3, 2020.

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL**

Present: Mayor Charles Herman, Deputy Mayor James Waltman, Committee Members Daniel Kwasnik, Susan Lockwood and Joseph Vocke along with Township Clerk Maria Andrews and Township Attorney Joseph Tauriello.

**ANNOUNCEMENTS**

- The Next Township Committee Meeting is TUESDAY, 10/13/20 due to Columbus Day

**SPECIAL PRESENTATION: Special Service Award – Girl Scouts**

Leaders and members of Girl Scout Troop #86 presented Kathy Klink with a well deserved Service Award for her tireless volunteering efforts to the Scouts and the Delaware Township community.

**APPROVAL OF TOWNSHIP COMMITTEE MINUTES**

A motion by Lockwood, seconded by Waltman to approve the Committee's 9/14/20 meeting minutes as revised was unanimously approved by voice vote.

**TOWNSHIP COMMITTEE REPORTS**

Committeeman Kwasnik noted public works is continuing their mowing efforts now that the mower has been repaired. DPW Director Jay Trstensky conducted a site inspection in the Hope Farms development to address the concerns raised by residents at the last meeting. With regard to the Worman Road stone issue, Director Trstensky will speak to the supplier on the availability of "less sharp" stone.

Committeewoman Lockwood noted that the Open Space Committee had met and a suggestion was made to utilize small County grants for the maintenance of Dilts Park. She also commented that they are working with the Recreation Committee to compile a list of potential projects for the grant funding. With regard to the Energy Aggregate Program, Committeewoman Lockwood indicated they would like to send out a mailing, potentially under the Mayor's name, to explain the program and stating that the rates are better now. Mayor Herman remarked that he would like a consensus from the Committee prior to anything being mailed out.

Committeeman Vocke stated he will relay Committeeman Kwasnik's comments to the Delaware Township Municipal Utilities Authority (DTMUA).

Deputy Mayor Waltman noted he spoke with Chief Cane regarding the policing request from the Paulmier Road residents last month. He indicated no parking signs, seasonal parking permits and/or time based permits (7 AM – 7 PM) were all options. Deputy Mayor Waltman stated he had reached out to the Hope Farms HOA requesting they determine which type of permit they would like to pursue. With regard to the Sanford Road speed limit issue, Deputy Mayor Waltman noted that Chief Cane suggested the Township Engineer review the matter.

Mayor Herman provided an update on the Children's Hospital of Philadelphia Parkway Virtual Run and Walk and the St. Baldrick's Virtual Head-Shaving Event and Auction noting the Parkway Run and Walk raised \$16,000 and St. Baldrick's raised \$20,000 bringing the 8 year grand total to over \$400,000 raised for cancer research. Additionally, he commented that the United Way would like to increase census awareness in Delaware Township through yard signs and the Hunterdon County Strong Community Challenge will be upcoming with participating towns being able to earn up to \$2000 cash prizes for their schools. Lastly, Mayor Herman noted there will be a new application for permits to utilize the fire pit.

**OPEN TO THE PUBLIC (For Items on the Agenda)**

Mayor Herman opened the floor to public comment for items on the agenda.

Chuck Cline of 139 Upper Creek Road came forward and stated, "Whoever did the Reading Road mowing did the best job ever!" He also noted the Pipeline Committee met but indicated there currently isn't much activity with the pipeline.

Kathy Klink remarked that she would like any energy aggregate letter that goes out to be perfectly clear who residents can call for additional information so they are not calling the Township offices. She also asked if any of the County grant money can be used for the maintenance of White Oak Trail. Committeewoman Lockwood stated she believed so.

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

**INTRODUCTION/PUBLIC HEARING ON ORDINANCES**

**Public Hearing: ORDINANCE #2020-07: AN ORDINANCE OF THE TOWNSHIP OF DELAWARE, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY AMENDING ORDINANCE #2019-21 ESTABLISHING MUNICIPAL SALARY AND COMPENSATION BY RANGES**

Mayor Herman read Ordinance #2020-07 by title.

DELAWARE TOWNSHIP  
ORDINANCE #2020-07  
MUNICIPAL SALARY AND COMPENSATION RANGES

AN ORDINANCE OF THE TOWNSHIP OF DELAWARE, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY AMENDING ORDINANCE #2019-21 ESTABLISHING MUNICIPAL SALARY AND COMPENSATION BY RANGES.

Section 1. The following new position and salary ranges shall add to the list of Delaware Township positions and salary ranges in Ordinance #2019-21:

ADD:

CLERK'S OFFICE

Part-Time Clerk \$18,000-\$20,000 yearly

BUILDING DEPARTMENT

Hourly Construction/Subcode Officials and Inspectors \$30.00-\$45.00 hourly

Section 2. This Ordinance shall take effect immediately after final passage and publication according to law.

ATTEST:

\_\_\_\_\_  
Kathy Klink, Acting Clerk

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

A motion by Lockwood, seconded by Waltman to open the floor to public comment on Ordinance #2020-07 was unanimously approved by voice vote. Seeing no members of the public come forward, a motion was made by Lockwood and seconded by Waltman to close the floor to public comment. The motion was unanimously approved by voice vote.

A motion by Lockwood, seconded by Waltman adopting Ordinance #2020-07 upon second reading, was unanimously approved by roll call vote.

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

**RESOLUTION #2020-68: TAX SALE CERTIFICATE – BLOCK 25 LOT 7**

**Resolution #2020-68**

**WHEREAS**, the Delaware Township Tax Collector held a tax sale on July 28, 2020; and

**WHEREAS**, at said sale Tax Sale Certificate #2020-001 for property known as Block 25 Lot 7– 83 Sandbrook Hqts Road, Assessed Owner: Paul G Sabers was sold to Bala Partners LLC, and

**WHEREAS**, the property owner has requested to redeem TSC #2020-001; and

**WHEREAS**, payment has been received by the Tax Collector for redemption of TSC #2020-001 in the amount of \$8,982.12;

**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 \$8,982.12 and also refund the premium of \$16,000.00 to: Bala Partners LLC, 17 W Cliff St, Somerville, NJ 08876;

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

ATTEST:

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

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

\_\_\_\_\_  
Danene L. Gooding, Tax Collector, CTC

**CERTIFICATION**

*I, Maria Andrews, 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 #2020-68 adopted by the Township Committee of the Township of Delaware, in the County of Hunterdon, in the State of New Jersey on September 28, 2020.*

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

A motion by Lockwood, seconded by Waltman to approve Resolution #2020-68 was unanimously approved by roll call vote.

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

**RESOLUTION #2020-69: SANFORD ROAD PAVING CONTRACT PAYMENT**

**Resolution #2020-69**

BE IT RESOLVED by the Township Committee of the Township of Delaware that the first Contract Payment less a 2% retainage fee authorized in accordance with the Capital Paving and Contracting correspondence dated September 22, 2020, a copy of which is attached for the Improvements to Sanford Road:

Payment #1	\$ 266,636.34
Less Retainage (2%)	(5,332.73)
Amount Due Payment Request final:	\$ 261,303.61

Capital Paving and Contracting, LLC.  
1225 Route 31 South  
Building A, Suite 124  
Lebanon, NJ 08833

ATTEST:

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

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

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

\_\_\_\_\_  
Diane S. McDaniel, CFO

A motion by Waltman, seconded by Lockwood approving Resolution #2020-69 was unanimously approved by roll call vote.

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

**RESOLUTION #2020-70: TAX PAYMENT REFUND – BLOCK 26.01 LOT 10**

**Resolution #2020-70**

**WHEREAS**, a payment was received from the mortgage company to pay 3<sup>rd</sup> quarter 2020 taxes, for Block 26.01 Lot 10 property address: 6 Daniel Robbins Lane, Flemington, NJ;

**WHEREAS**, Quicken Loans made a payment in the amount of \$3,070.62 for 3<sup>rd</sup> quarter 2020 taxes;

**WHEREAS**, this payment was not due since this property is now exempt from taxes because the owner is a 100% disabled veteran, and;

**WHEREAS**, Quicken Loans paid \$3,070.62 on an exempt property and the funds should be sent back to them, and;

**NOW THEREFORE BE IT RESOLVED** that the Township Committee authorize the Delaware Township Treasurer to refund \$3,070.62 to:

Quicken Loans  
1050 Woodward Avenue  
Detroit, MI 48226

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

ATTEST:

\_\_\_\_\_  
Charlie Herman, Mayor

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

\_\_\_\_\_  
Danene L. Gooding, Tax Collector, CTC

**CERTIFICATION**

I, Maria Andrews, 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 adopted by the Township Committee of the Township of Delaware, in the County of Hunterdon, in the State of New Jersey on September 28, 2020.

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

A motion by Lockwood, seconded by Vocke to approve Resolution #2020-70 was unanimously approved by roll call vote.

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

**RESOLUTION #2020-71: CREATION OF HAZARDOUS MITIGATION PLAN TEAM**

**Resolution #2020-71**

**AUTHORIZING THE CREATION OF A PLANNING TEAM FOR THE  
“HUNTERDON COUNTY HAZARDOUS MITIGATION PLAN UPDATE 2021”**

**WHEREAS**, Delaware Township wishes to participate in the 2021 update of the Hunterdon County Hazardous Mitigation Plan; and

**WHEREAS**, Delaware Township has participated in this plan since its inception and Deputy OEM Coordinator Bill Powell is recommending continued participation; and

WHEREAS, Hazardous Mitigation Plans establish and maintain eligibility for grant funds; and

WHEREAS, the planning process is as important as the Plan itself because it creates the framework for governments to reduce the negative impacts from future disasters on lives, property and the economy; and

WHEREAS, the need to appoint a Mitigation Planning Team for Delaware Township exists; and

WHEREAS, Deputy OEM Coordinator Bill Powell requests the following people be appointed to the Delaware Township Hazardous Mitigation Planning Team:

Bill Powell – Deputy OEM Coordinator  
Chris Cane – Police Chief/OEM Coordinator  
Charlie Herman – Mayor  
Dan Kwasnik – Public Works Commissioner  
Maria Andrews – Township Clerk  
Diane McDaniel – Flood and Hazard Administrative Assistant  
Ed Fleming – Fire Chief  
Mike Mullin – Floodplain Administrator/Zoning Officer  
Jay Trstensky – Director of Public Works  
Kathy Klink – Planning Board/Board of Adjustment/Environmental Commission  
Tom Petto – Construction Code Official  
Rick Roseberry – Township Engineer/Stormwater Administrator

NOW THEREFORE BE IT RESOLVED that the Delaware Township Committee authorizes the creation of a Hazardous Mitigation Planning Team comprised of the above listed members at their regular meeting on September 28, 2020.

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Maria Andrews, Township Clerk, RMC

A motion by Lockwood, seconded by Waltman to approve Resolution #2020-71 was unanimously approved by voice vote.

**RESOLUTION #2020-72: POLICE VEHICLE DONATED TO THE FIRE COMPANY**

**Resolution #2020-72**

WHEREAS, the Township Committee of the Township of Delaware would like to donate a vehicle to the Sergeantsville Volunteer Fire Company and,

WHEREAS, the Delaware Township Police Department no longer needs the use of a 2011 Ford Crown Victoria,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delaware, County of Hunterdon, and State of New Jersey, would like to donate the above described vehicle to Sergeantsville Volunteer Fire Company to be used for traffic control by its Fire Police.

ATTEST:

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Maria Andrews, Township Clerk, RMC

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Charles Herman, Mayor

A motion by Waltman, seconded by Lockwood to approve Resolution #2020-72 was unanimously approved by roll call vote.

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

Attorney Tauriello commented that, in the future, the Committee could approve all of the resolutions by Consent Agenda rather than individually if they wished to do so. He noted that if anyone wanted to discuss one of the resolutions that one could simply be pulled and approved separately.

**NEW BUSINESS/OTHER**

**Discussion: Review of Virtual Meeting Platform Options**

Chuck Cline came forward as the Chairman of the Board of Adjustment and referenced the recently released N.J.S.A. 5:39-1 Emergency Remote Meeting Protocol for Local Public Bodies. He highlighted the requirement to have a “perfectly functioning” system and suggested reaching out to the Township’s

I.T. people to ensure compliance. Ms. Klink remarked there were issues with the ZOOM meeting due to the Township's firewall and also noted that adequate cybersecurity controls must be in place.

Mr. Cline commented that the State recommends the ZOOM platform but noted the Township's contract is up in March and suggested now may be a good time to research other platforms.

**Acknowledgement: Resignation of Environmental Commission Member Alan Scott**

It was noted for the record that the Committee acknowledged Mr. Scott's resignation and thanked him for his service to the Environmental Commission.

**Appointments: Environmental Commission**

Mayor Herman made the following appointments to the Environmental Commission:

Donna Dahringer – Alternate #1

Linda Bradway – Alternate II

Mary Anne Royal – Regular Member

**OPEN TO THE PUBLIC**

Lisa Suydam of 28 Sanford Road came forward and continued her complaint from the last meeting regarding the speed limit on Sanford Road. She questioned the location of the recently installed 35 mph signs and referenced the Township Committee minutes from 9/10/18 containing comments from Chief Cane about the speed limit and blind curve signage.

Ms. Suydam expressed concern with the Township's Road Department determining where the speed limit signs should go, why the Township Engineer wasn't involved and why the Committee wasn't following up on the recommendations made back in 2018.

Committeeman Waltman stated he will follow up with Township Engineer Roseberry on this matter.

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

**FINAL COMMENTS OF THE TOWNSHIP COMMITTEE**

Committeeman Kwasnik will follow up with DPW Director Trstensky on the Worman Road stone issue.

Committeewoman Lockwood remarked 35 mph signs should be installed on the straight-away portion of Sanford Road.

Committeeman Waltman stated the port-a-potty needs to be put back by the soccer field. He also commented on the Open Space fund discussion and specifically highlighted that the bond covenants do not prevent the Township from using funding for maintenance purposes. Attorney Tauriello agreed and indicated he had confirmed this with Bond Counsel as well. Committeeman Waltman stated the \$25,000 County grant should be utilized for both "acquisition and maintenance" of properties and commented that he would like to see a referendum on this matter, for the people to decide how their tax dollars are used.

**APPROVAL OF THE BILL LIST**

A motion by Vocke, seconded by Waltman to approve payment of the \$399,925.85 bill list was unanimously approved by roll call vote.

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

**EXECUTIVE SESSION: Approval of Resolution #2020-73: To Enter into Executive Session for the Purpose of Discussing Personnel Matters and Subjects Falling Under Attorney-Client Privilege**

**Resolution #2020-73**

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this governing body is of the opinion that such circumstances presently exist,

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

The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.

The general nature of the subject matter to be discussed is as follows: Personnel/Salary and Wage and subjects falling under Attorney-Client privilege. The discussion is anticipated to take approximately 30 minutes. Action may be taken.

It is intended at this time that the above stated subject matter will be made public when the matter has been resolved.

This resolution shall take effect immediately.

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Maria Andrews, Township Clerk, RMC

A motion by Waltman, seconded by Vocke to approve Resolution #2020-73 and enter into Executive Session was unanimously approved by voice vote.

A motion by Waltman, seconded by Kwasnik to return to open session was unanimously approved by voice vote.

It was noted for the record that the Committee was in Executive Session from 8:51 PM – 9:32 PM.

Upon returning to open session a motion was made by Herman and seconded by Waltman to advertise for a full-time Deputy Clerk. The motion was approved by voice vote.

**ADJOURNMENT**

A motion by Vocke, seconded by Waltman to adjourn the meeting was unanimously approved by voice vote.

The meeting adjourned at 9:33 PM.

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Maria Andrews, Township Clerk, RMC

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

Approved: 10/13/20