

**MINUTES OF KNOWLTON TOWNSHIP
WARREN COUNTY, NEW JERSEY
April 10, 2017**

The monthly meeting of the Knowlton Township Committee was held on this date at the Municipal Building, 628 Route 94, Columbia, New Jersey. This meeting was called to order at 7:00 p.m. by Mayor Starrs.

Mayor Starrs led the public in the pledge of allegiance.

The Mayor read the following statement in compliance with the "Open Public Meetings Act":
"In accordance with Chapter 231 of the Public Laws of 1975, notice of this meeting was given by way of publication with the Star Gazette and/or the Express-Times, filed in the Municipal Clerk's Office and posted in the Knowlton Municipal Building."

Roll Call

Present: Deputy Mayor Cuntala, Committeeman Farber, Committeewoman Shipps, Committeeman Van Horn and Mayor Starrs

Also present was Township Engineer Ted Rodman, DPW Supervisor Brian Peck, CFO Christine Rolef, Township Auditor John Mooney, and Township Attorney Richard Cushing by conference phone until approximately 10:00 pm.

EXECUTIVE SESSION Motion to go into Closed Session: Mayor Starrs, Seconded by Committeewoman Cuntala and carried at 7:01.

Resolution

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Knowlton, in the County of Warren and State of New Jersey as follows:

1. The public shall be excluded from that portion of this meeting
2. The general nature of the subject matter to be discussed is as follows:
 - A. Litigation

Motion was made by Mayor Starrs, Seconded by Deputy Mayor Cuntala and carried to come out of Closed Session at 7:34 p.m. and return to Regular Session.

PRESENTATION

Kevin Russ- Verizon Node Boxes

Mr. Russ presented to the committee node boxes that would improve cell phone service in Knowlton Township. Verizon is seeking proactive consent for planning purposes from not only Knowlton Township but from other communities. The node boxes will help residents who have Verizon wireless. Mayor Starrs asked Mr. Russ about erecting new poles in areas that do not have utility poles or street lights. Mr. Russ explained that if that should occur then they would go in front of the planning board for approval. Committee agreed to have Mayor Starrs go through several variations of resolutions and present one to the committee.

PUBLIC COMMENT

Resident Nancy O'Neill has heard that the node boxes do make noise.

Attorney Richard Keiling, who represents resident Joe Trinca, asked about lots on Bridge Lane. Mr. Trinca had put a deposit on this property back in 2005 but because there was not a clear title the purchase was never completed. The Township still has this deposit and Mr. Trinca is still interested in purchasing the lots. Mr. Keiling will forward the information that was found during the title search to Mr. Cushing.

DEPARTMENT REPORTS

Zoning Officer Joe Rossi sent a notice to 38 Auble Rd. regarding the trees that were taken down on the property. The property owner needs to go before the Zoning Board of Adjustment.

William Hinks, attorney for some of the residents on Auble Rd., spoke with the Committee regarding all the mature trees that were taken down and possible non-residential activities taking place. Mr. Hinks feels that according the Knowlton Ordinance that the zoning office is able to issue a cease and deist and summons the property owner every day they are in violation.

Several residents who were present from Auble Rd. explained to the committee all of the activity that has taken place at 38 Auble Rd. regarding the fence that is being put up, tree removal, paving of a driveway that can accommodate large commercial vehicles, and the existing building which is now visible. Attorney Cushing advised that the zoning officer can issue a cease and desist until the issue is heard by the Board of Adjustment. Mr. Hinks discussed filing an Order to Show Cause with the Warren County Superior Court.

CFO Christine Rolef presented the 2017 Municipal Budget to the committee for Introduction. Discussion regarding the surplus and old equipment that is being utilized by the Road Department and Fire Department. Mrs. Rolef mentioned the single axle truck that was ordered. DPW Supervisor Brian Peck addressed that the truck is late. Mr. Peck also stated that there are penalties involved for the truck being late. Attorney Cushing recommended sending a letter to the company seeking damages and getting the vehicle to the township as soon as possible.

Resolution 2017-59 Resolution Authorizing the Township of Knowlton to Conduct Its Own 2017 Budget Examination

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.S.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5, the Township of Knowlton has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the Borough meets the necessary conditions to participate in the program for the 2017 budget year, so

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Knowlton Township that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification.

The Governing Body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges.
 - b. Deferred charges and statutory expenditures.
 - c. Cash deficit of preceding year.
 - d. Reserve for uncollected taxes.
 - e. Other reserves and non-disbursement items.
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met.(Complies with the "CAP" law.)
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated.
 - b. Items of appropriation are properly set forth.
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Motion was made by Mayor Starrs, seconded by Deputy Mayor Cuntala and approved by roll call vote Cuntala-- yes, Farber--yes, Shipps--yes, Van Horn--yes, Starrs--yes for Resolution 2017-59

2017-57 2017 Municipal Budget

WHEREAS, the Township of Knowlton is holding a meeting on April 10, 2017, for the purpose of introducing the 2017 Municipal Budget and conducting other matters; and,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Knowlton, Warren County, New Jersey, that the Township of Knowlton hereby petitions the Director of the Division of Local Government Services that the 2017 Local Municipal Budget be introduced and approved on April 10, 2017.

2017 KNOWLTON TOWNSHIP MUNICIPAL BUDGET

Surplus anticipated general revenues	\$ 385,000.00
Total Miscellaneous revenue	626,102.00
Receipts from Delinquent Taxes	319,000.00
Local Property Taxes	<u>1,028,930.49</u>
Total General Revenues	\$ <u>2,359,032.49</u>

Salaries and Wages	\$ 595,170.00
Other Expenses	963,850.00
Capital Improvements	55,000.00
Statutory Expenditures	104,697.00
Deferred Charges	191,992.00
Reserve for Delinquent Taxes	<u>448,323.49</u>
Total 2015 Municipal Budget	\$ <u>2,359,032.49</u>

2017 Municipal Tax Rate 0.398

2017 KNOWLTON TOWNSHIP MUNICIPAL WASTEWATER UTILITY BUDGET

Surplus anticipated general revenues	\$ 23,000.00
Total Rents	<u>222,000.00</u>
Total General Revenues	\$ <u>245,000.00</u>

Total Operations	\$ <u>245,000.00</u>
Total 2017 Municipal Budget	\$ <u>245,000.00</u>

Motion was made my Mayor Starrs, seconded by Deputy Mayor Cuntala and approved by roll call vote Cuntala--yes, Farber--yes, Shipps--yes, Van Horn--yes, Starrs—yes for the introduction of Resolution 2017-57.

DPW Supervisor Brian Peck addressed problems with doing a shared service with the salt shed in Blairstown. How would the cost of salt be shared between the two townships? Also, Blairstown's salt shed does not have to capacity to hold salt for two townships.

Dena Boasci from Summer Lane. Summer Lane is privately owned and would like help from the Township in paving the Lane during snow storms and also possibly having pot holes filled because the owner of the lane is not maintaining the road. Attorney Dick Cushing said the Township would have to pass an ordinance to do this and would have to provide the same services for other private roads in the Township. Mr. Peck stated that the road would need to be either paved or tar and chipped in order for the DPW to plow the road. Committeeman Van Horn will help with privately help with plowing if needed.

Township Engineer Ted Rodman has been in contact with Robin Blessing from Service Electric regarding getting service to a resident on Cemetery Road.

The Township has submitted the Problem Statement to the DOT requesting speed humps on Washington St.

RESOLUTIONS

2017-53 Tonnage Grant Application (2016)

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the 2016 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycle and to indicate the assent of the Township of Knowlton to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Township of Knowlton Committee of the Township of Knowlton that the Township of Knowlton hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates JoAnn Fascenelli, Certified Recycling Professional to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Motion was made by Mayor Starrs, seconded by Deputy Mayor Cuntala and approved by roll call vote, Cuntala-- yes, Farber-- yes, Shipp--yes, Van Horn--yes, Starrs--yes for Resolution 2017-53

2017-54 Resolution to Authorize Payment to Natural Systems Utilities

WHEREAS, the Township of Knowlton has contracted Natural Systems Utilities to maintain the Township's Wastewater Treatment Plant; and

WHEREAS, Natural Systems Utilities deemed necessary to incur costs to replace the Filter Membrane; and

WHEREAS, Knowlton Township interprets the Local Public Contracts Law as exempting the contract for the purchase of the filter from bidding and that even if such is not exempted, the Township acknowledges its responsibility to pay such bill under a theory of quasi-contract; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, County of Warren and state of New Jersey authorize the Chief Financial Officer to Pay Invoice 0000-229361 in the amount of \$59,073.51 to Natural Systems Utilities Mail code 53, PO Box 11839 Newark, New Jersey 07101-8138

Motion was made by Deputy Mayor Cuntala, seconded by Committeeman Farber and approved by Roll Call vote Cuntala--yes, Farber--yes, Shipp--abstained, Van Horn--yes, Starrs—yes for Resolution 2017-54.

2017-55 Resolution of Commendation for Eagle Scout Jack Tironi

WHEREAS, Knowlton Township resident Jack Tironi of Knowlton Troop 153, Boy Scouts of America, has earned the rank of Eagle Scout; and

WHEREAS, to do so Jack passed a two-hour Board of Review with four district-level Boy Scout Committeemen; and

WHEREAS, Jack spent approximately 150 hours on his Eagle Scout project to construct shelving and storage for Haven of Hope for Kids, a nonprofit organization that offers no-cost vacations to families caring for children with life-threatening illnesses; and

WHEREAS, Jack's attainment of the 21 necessary merit badges further demonstrates his commitment ideals that benefit our community; and

WHEREAS, the rank of Eagle Scout is the highest award a boy can attain in scouting and is earned by only 5 percent of all Boy Scouts.

NOW, THEREFORE, BE IT RESOLVED, that on this day, April 10, 2017, the Knowlton Township Committee commends Jack Tironi on achieving the rank of Eagle Scout and awards him with this Certificate of Merit.

Motion was made by Committeeman Farber, seconded by Deputy Mayor Cuntala and carried to approve Resolution 2017-55.

2017-56 Older Americans Month- May 2017

Whereas, the month of May is traditionally designated Older Americans Month by the U.S. Department of Health and Human Services; and

Whereas, the theme for Older Americans Month 2017 is "**Age Out Loud**", emphasizing the ways older adults are living their lives with boldness, confidence and passion while serving as an inspiration to people of all ages; and

Whereas, Knowlton Township includes older Americans who richly contribute to our community; and

Whereas, Knowlton Township is committed to supporting older adults as they take charge of their health, explore new opportunities and activities, and focus on independence; and

Whereas, Knowlton Township can provide opportunities to enrich the lives of individuals of *all ages* by:

involving older adults in the redefinition of aging in our community;
promoting home- and community-based services that support independent living;
encouraging older adults to speak up for themselves and others; and
providing opportunities for older adults to share their experiences.

Now therefore, Knowlton Township does hereby proclaim May 2017 to be Older Americans Month.

Residents of all ages are encouraged to take time during this month to acknowledge older adults as influential and vital parts of our community.

Motion was made by Committeeman Farber, Seconded by Deputy Mayor Cuntala and carried to approve Resolution 2017-56.

2017-57 2017 Municipal Budget discussed during Department Reports

2017-58 Payment of Vouchers

BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, Warren County, New Jersey, that all claims attached are hereby approved as reasonable and proper claims against the Township of Knowlton.

THEREFORE, BE IT RESOLVED that approval for payment is hereby given to the Chief Financial Officer

to pay said claims, subject to the availability of funds.

Motion was made by Mayor Starrs, Seconded by Deputy Mayor Cuntala and approved by Roll call vote Cuntala--yes, Farber--yes, Shipp--yes, Van Horn--yes, Starrs--yes with the exception of voucher for Robert Greenbaum

OLD BUSINESS

Bridge Lane--Discussed in Public Comment

Salt--Insurance coverage and grants

The Township received a Notice of Tort Claim regarding possible litigation. The Notice was submitted to the Township insurance company. Mayor Starrs read aloud portions of the letter from the Insurance company stating they will not cover any litigation regarding salt issues with in the Township.

Mayor Starrs also stated that two agencies have tentatively agreed to share the cost for the Reverse Osmosis System. Mayor Starrs also stated that NJDEP sent out letters to all the residents who tested high in salt levels to register with the township. Residents who do not register cannot be informed of solutions because the testing results and contact information have been kept confidential by the NJDEP. As of this meeting 28 residents responded out of the 53 letters that were sent out.

Mayor Starrs reported on 3 grants she has looked into that could help with the salt issue: HUD block grants, EPA 319 grants, and a 504 Program grant for \$7,500 that can be used by individuals for home repairs by residents 62 and older who meet low-income requirements.

Private road Summer Lane--Discussed during Department Head reports

NEW BUSINESS

Attorney actions in litigation

Litigation continues regarding the former clerk. Mayor Starrs read portions of two letters: one from Mr. Courtney, who is Ms. Patton's attorney, and the other from Township's Counsel Corrigan. Discussion regarding these letters took place between the committee members. Committeeman Farber would like it noted that he was told by Mayor Starrs that the issue was concluded.

Motion was made by Mayor Starrs, seconded by Deputy Mayor Cuntala to reject the counteroffer from Ms. Patton's attorney. Roll Call vote: Cuntala--yes, Farber--abstain, Shipp--yes, Van Horn--abstain, Starrs--yes

OLD BUSINESS

622 Route 94- electric/water turn on

Committee agreed to have the electric and water turned back on at 622 Route 94.

COAH

Committeeman Van Horn attended a meeting regarding COAH. It was said at this meeting the Knowlton Township is one of the only townships that has a plan.

FEMA Insurance

Committeeman Van Horn talked about the meeting that was held with FEMA representative. He explained that we started the process but it is still going to be a long process.

NEW BUSINESS

Community Day

Committeewoman Shipps spoke with the Committee about hosting a Community Day. Ms. Shipps has been working with Recreation Department Head Dennis Lembeck in gathering ideas for a Community Day. They plan for a car show, bounce house, having vendor tents, pony rides, petting zoo, pie or cookie eating contest and other many activities. Committeewoman Shipps did state that they would need a donation from the township of \$5,000.

Committeewoman Shipps met with Fire & Rescue and Fire & Rescue is looking to get Knox Boxes for businesses. Fire & Rescue is looking for radios for their new command vehicle and they are looking to get gear up-suits. Fire & Rescue would also like to talk about the purchase of an ambulance.

Committeewoman Shipps started the petition to send to the New Jersey Board of Public Utilities regarding CenturyLink merging with companies that have Fiber optic and bringing that to Knowlton Township. Committee agreed to have a resolution go with the petition that will be heard at the next meeting.

CORRESPONDENCE

BOA resignation-tabled to next Township meeting

APPROVAL OF MINUTES

March 23, 2017 Executive Session Meeting Minutes

Motion was made by Deputy Mayor Cuntala, seconded by Committeewoman Shipps and carried to approve March 23, 2017 Executive Session Meeting Minutes. Committeeman Van Horn abstained.

March 23, 2017 Public Meeting Minutes

Motion was made by Deputy Mayor Cuntala, seconded by Committeewoman Shipps and carried to approve March 23, 2017 Public Meeting Minutes. Committeeman Van Horn abstained.

PUBLIC COMMENT

Resident Bob McNinch asked for an overview of the litigation that the Township is involved with. Attorney Cushing responded with Ms. Patton's, Casser-- regarding a Planning Board matter, Hopkins-- an OPRA matter involving a litigant suing numerous municipalities, and possible litigation regarding the Columbia salt matter.

Resident Pam Rusweiler had a question regarding St. Luke's providing ambulance service for residents. Committeewoman Shipps responded that St. Luke's is not going anywhere that the Fire & Rescue provides service three days a week.

Resident Tracey Allen commented that the Township was notified in 2005 about the salt and whose job was it to notify the insurance company regarding the salt issue? Mayor Starrs could not responded that she did not want to comment publicly without speaking to the Attorney first. Ms. Allen also asked if the continuing litigation with Ms. Patton was from Knowlton or Ms. Patton. Mayor Starrs explained that they will not provide any comment regarding Patton litigation without Attorney Cushing present. Ms. Allen also asked if the cost of the Reverse Osmosis Systems would be paid by the township. Mayor Starrs said that all entities were asked to split the cost, and currently two of those entities may do so.

Resident Bill Clifford asked if there was any update on the Columbia Dam. Mayor Starrs said not at this time.

ADJOURNMENT

Motion was made by Mayor Starrs, seconded by Deputy Mayor Cuntala, and carried to adjourn tonight's Township meeting at 10:40 p.m.

Respectfully submitted,

Kristin Shipps
Acting Municipal Clerk