

**MINUTES OF KNOWLTON TOWNSHIP  
WARREN COUNTY, NEW JERSEY  
PUBLIC MEETING MINUTES  
April 25, 2019**

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.

Mayor Starrs read the following statement: "This meeting of the Knowlton Township Committee is being held in compliance with the Open Public Meetings Act: P: 1975, Chapter 231, noting that notice of all regularly scheduled meetings has been published in the New Jersey Herald and/or the Star Gazette and/or the Star Ledger as well as providing said schedule in the Municipal Clerk's office."

**Roll Call**

Present: Committeewoman Cuntala, Committeeman McNinch, Deputy Mayor Shipps, Committeeman Van Horn (arrived at 7:20), and Mayor Starrs

Also present was Township Engineer Ted Rodman

**PUBLIC COMMENT**

No Public Comment

**DEPARTMENT REPORTS**

**Township Engineer Ted Rodman**

Hemlock Rd.— Specs are ready for catch basins opening bid date will be May 16<sup>th</sup>.

Polkville Rd. - Final paperwork has been mailed in and approved

Bruglar Rd— No reply yet from submitted problem statement to NJDOT.

Stark Road State Aid—Mr. Rodman will be meeting with CFO Christine Rolef, DPW Supervisor Brian Peck, and Mayor Starrs regarding the grant shortage for Stark Rd.

**PRESENTATION**

**Beth Styler Barry, Nature Conservancy— Update Columbia Dam Removal**

Ms. Barry provided a slide show which provided the committee and residents with an update regarding the removal of the Columbia Dam. Ms. Barry showed two existing pipes that now have scour protection and showed a concrete manhole that was already there and has been recapped. Ms. Barry also advised that because of water moving quickly under the Route 80 overpass, engineers had to design a system of steps to slow down the current. Three of the 6 steps have already been installed. Ms. Barry also advised that shad have returned to the Paulinskill, but it is illegal to fish for shad in all NJ rivers except the Delaware River. Grant money has been received for the walking path, which needs permits. Four residents have reached out to assist with planting vegetation and no date has been set for another clean up.

**ORDINANCE**

**Public Hearing/ Adoption**

**2019-03** Calendar Year 2019 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank

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

WHEREAS, N.J.S.A. 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 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Knowlton in the County of Warren finds it advisable and necessary to increase its CY 2019 budget by up to 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 Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$57,298 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee 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.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Knowlton, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Township of Knowlton shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$57,298 and that the CY 2019 municipal budget for the Township of Knowlton be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any 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 5 days of introduction; and,

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

**Motion made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve to go into public hearing.**

**No public comments.**

**Motion made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve to come out of public hearing.**

**Motion made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve by roll call vote: Cuntala—yes, McNinch—yes, Shipps—yes, Van Horn—yes, Starrs—yes for the adoption of Ordinance 2019-03.**

**Introduction:**

**2019-04- An Ordinance Amending Chapter 156 of the Code of the Township of Knowlton Entitled “SOIL REMOVAL” in Order to Regulate Soil Importation**

WHEREAS, the unregulated and uncontrolled dumping of potentially contaminated fill in the Township of Knowlton (the “Township”) may result in conditions detrimental to the health, safety, and general welfare of the citizens of the Township; and

WHEREAS, there currently is no mechanism for the Township to abate and prohibit the hazards created by the dumping of fill; and

WHEREAS, the Township Committee has determined that it is in the best interests of the Township to regulate the placement of fill within the Township and ensure it free of contaminants that would and be harmful or hazardous to residents; and

WHEREAS, procedures are needed to allow for submission of applications for the placement of fill within the Township; and

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of Knowlton as follows:

**SECTION 1.** The Title of Chapter 156 of the Code of the Township of Knowlton (the “Code”) shall be amended to read “Soil Removal and Deposit.”

**SECTION 2.** The Title of Chapter 156, Article II of the Code shall be amended to read “Soil Removal for Nonmining Activities.”

**SECTION 3.** The Title of Chapter 156, Article III of the Code shall be amended to read “Soil Removal for Surface Mining Soil Extraction Operations.”

**SECTION 4.** Section 156-4 of the Code, entitled “Definitions,” shall be amended as follows:

The definition of “Soil” is deleted in its entirety and replaced with the following:

Includes dirt, stone, gravel, sand, humus, clay, loam and mixtures or any of these but this shall not include quarry process, consolidated material, rock products, or refer to the quarrying of rocks utilized in the construction of roads, driveways, or similar types of construction

SECTION 5. Chapter 156, Article IV shall be added entitled "Soil Importation" as follows:

§156-26 Permit Required; Expiration

A. Permit Required. No person shall import soil to a site within the Township of Knowlton in quantities of one hundred (100) cubic yards or more without first having procured a permit by filing of an application for such soil importation with the Township Clerk.

In no event shall trash, waste material, construction or demolition debris be permitted to be imported into the Township unless expressly authorized by vote of the Township Committee."

B. Expiration. Permits issued hereunder for soil importation shall expire 6 months after issuance. A person holding an expiring permit who intends to continue operations past the date of expiration must complete a renewal application in a timely manner so as to ensure that no lapse occurs. Each day of such a lapse may incur penalties pursuant to Section 156-33 hereunder.

§156-27 Application for Permit; Renewal

A. Application. The application shall disclose the following:

- 1) Name and address of the applicant
- 2) Name and address of the owner, if other than the applicant
- 3) The description and location of the land in question, including the tax map block and lot
- 4) The purpose or reason for placement of soil/fill
- 5) The nature and quantity, in cubic yards, of soil/ fill to be imported
- 6) The source of material to be used as soil/fill
- 7) Certificate of clean fill, if available
- 8) Source from where the soil/fill is coming from to be shown on the plans, including tax lot and block, owner's name and municipality
- 9) The location to which the soil/fill is to be placed
- 10) The proposed date of completion of the soil/fill
- 11) An approved soil erosion/sediment control permit (if applicable)
- 12) Permit fee and escrow deposit

B. Renewal. Any permit under this Article shall be renewed every six (6) months upon submission of the following information and completion of the following actions by the applicant /permittee:

(1) Submission of application fee pursuant to Section 156-28. Such fee must be paid upon each renewal.

- (2) Statement that the applicant / permittee has not permitted or suffered a condition which would violate this Article to go uncorrected. Unabated violations of this Article shall be grounds for denying renewal of the application.
- (3) Any updates to the information described in Subsection (A).
- (4) Proof that taxes on the subject property are current and paid.
- (5) Statement that the applicant / permittee is not in violation of any state, county or municipal law, ordinance or health regulation as a result of any activity or operations under the Article.
- (6) Payment of all escrow fees required by Section 156-28 hereunder.

§156-28 Fees; Escrow

- A. Permit Fee. The fee for issuance of a permit under this article shall be a minimum of one hundred (\$100.00) dollars plus ten (\$10.00) dollars per thousand cubic yards in excess of one hundred (100) cubic yards.
- B. Escrow. No application under this Article shall be considered unless the applicant has deposited with the Township Clerk initial escrow moneys in the amount of \$2,000 for engineering, legal and other costs generated by an application. A minimum escrow balance of \$1,000 shall be maintained.
- C. Fees Waived. Where there is an approved site plan and said site plan approval includes the importation of soil, no permit, fee, or escrow deposit fee will be required.

§156-29 Application Review; Source Testing; Responsibility for expenses

- A. The Township Engineer shall review all such applications and, if in the opinion of the Township Engineer, professional review of the application, including physical examination or testing of soil is required, the Engineer shall forward all pertinent materials to a soil consultant or environmental consultant for review and for a certified testing soil laboratory report which shall be delivered to the Township Committee within thirty (30) days from the date of completion of the application. Every load of incoming fill material must meet current New Jersey Department of Environmental Protection (“NJDEP”) residential direct contact soil remediation standards (N.J.A.C. 7:26D, Appendix 1, Table 1A), and be certified by the consultant as clean fill after testing that conforms to NJDEP’s Technical Requirements for Site Remediation N.J.A.C. 7:26E-1 et seq.
- B. The report of the consultant shall be accompanied by an invoice for the services performed. All expenses connected with such testing are to be borne by the applicant and shall be deducted from the escrow account established pursuant to §156-28.
- C. Processing Deadline. Within thirty (30) days of the date of submission of a complete application, the Township Engineer shall review the application in accordance with the procedures established in this Article and provide any testing results and a recommendation to the Township Committee. The Township Committee shall then decide whether to issue the permit at the first regular Committee meeting after submission of the recommendation and findings by the Township Engineer.

Mayor Starrs read what was added to the Ordinance. Committeeman McNinch discussed his desire to have more specific regulations that would exempt farmers. Discussion took place regarding clean fill.

**Motion was made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve by roll call vote: Cuntala—yes, McNinch—yes, Shipps—yes, Van Horn—abstain, Starrs—yes to the Introduction of Ordinance 2019-04.**

## **RESOLUTIONS**

### **2019-02b-Resolution Approving Compensated Appointments**

WHEREAS, it is necessary to appoint various persons to fill the numerous positions of authority in the Township of Knowlton for the year 2019.

WHEREAS, Knowlton Ordinance 11-236 requires that prior to construction, reconstruction, or alteration of an entrance of exit drive onto a township road or common driveway, the owner of the property shall make application for a driveway permit; and

WHEREAS, Knowlton zoning Officer Eric Snyder has expressed a willingness to fulfill the duties of driveway inspections;

WHEREAS, this role shall be compensated at a rate of \$30 per inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, Warren County, New Jersey, that the following appointments be made with terms being until December 31, 2019:

Acting Municipal Clerk	Kristin Shipps
Shared Services/Grant Administrator	
Assessment Search Officer	
Deputy Clerk	Doreen Apgar
Registrar of Vital Statistics	Doreen Apgar
Deputy Registrar of Vital Statistics	Kristin Shipps
Office Assistant	
Finance Assistant	Doreen Apgar
Recycling Coordinator	JoAnn Fascenelli
Chief Financial Officer	Christine Rolef
Tax Collector	Evan Howell
Tax Search Officer	Evan Howell
Assistant Tax Collector	Doreen Apgar
Tax Assessor	Richard Motyka
Tax Assessment Assistant	Kenna Pearson
Code Enforcement Officer/Zoning Officer	Eric Snyder
<b>Driveway Inspector</b>	<b>Eric Snyder</b>
Fire Official	Glenn Wilson, Jim McAleer
Planning Board Secretary	Alfia Schemm
Board of Adjustment Secretary	Alfia Schemm
Animal Control Officer	Alan DeCarolis

*Municipal Judge	Dominick Santini
Court Administrator	Rosanne McPartland
Deputy Court Administrator	Ruth DeGeorge
Alternate Deputy Court Admin.	Ann Marie Tracy
Violations Clerk	
Court Attendant	Dennis Kelley, Doug Kopen
Public Works Manager	Brian Peck
Public Works Assistant Supervisor	Thomas Steckel
Public Works Driver/Laborer I	
Public Works Driver/Laborer II	
Public Works Driver/Laborer III	David Quick
Public Works Driver/Laborer IV	
Public Works Driver/Laborer-Part Time	Geoff Littlehale
Recreation Director	Dennis Lembeck
Recreation Laborer	George Trongone
Alternate Recreation Laborer	Ryan Lembeck
Community Service/Clean Comm. Supervisor	Dennis Lembeck
**Emergency Management Coordinator	Frank Makowski
911 Coordinator	Frank Makowski
Deputy Emergency Management Coordinator	Michael Bates
Emergency Management Assistant	Kristin Shipps
Municipal Housing Liaison	Kristin Shipps

\*Shared Municipal Court – Knowlton/Frelinghuysen/Franklin/Blairstown - term expires 12/31/20

\*\*term expires 12/31/19

Motion was made by Committeewoman Cuntala, second by Mayor Starrs and carried to approve by roll call vote: Cuntala—yes, McNinch—yes, Shipps—yes, Van Horn—yes, Starrs—yes to Resolution 2019-02b.

**2019-66- Resolution Authoring Solicitor to Foreclose Certain Property for Delinquent Taxes in the Township of Knowlton**

WHEREAS, the Tax Assessor and Tax Collector of the Township of Knowlton prepared an In Rem Foreclosure List; and

WHEREAS, the Township Committee authorized foreclosure on the properties on such list pursuant to Resolution No. 2018-104 adopted on October 25, 2018; and

WHEREAS, the title work on one of the properties included in such list (10 Clinton Street, Block 55, Lot 12) revealed that one Committee member may have a conflict of interest as it pertains to such property; and

WHEREAS, order to ensure that the foreclosure of such property is properly authorized, the Township Committee believes it is best to re-authorize such foreclosure; and

WHEREAS, N.J.S.A. 54: 5-104.35 provides in pertinent that the Governing Body may, by resolution, foreclose any of the tax sale certificates held by it, by the summary proceedings In Rem as provided in

the In Rem Foreclosure Act [L.1948, c, 96]; and

WHEREAS, municipal foreclosure on this property will result in benefits to Knowlton Township that may include:

- Compelling the payment of taxes,
- Removing non-performing properties from tax rolls,
- Increasing the collection rate to lower the reserve for uncollected taxes,
- Controlling abandoned properties,
- Stabilizing the tax base.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of Knowlton that Keith Bonchi, Esquire, is hereby authorized to foreclose the property as noted in the below list:

Block	Lot	Property Address	Property Name
55	12	10 Clinton Street	Arianna Holdings Comp LLC

Committeeman McNinch explained during a title search for 10 Clinton St. it was discovered that Committeeman McNinch had a tax lien on this property from twenty years ago. Mayor Starrs read aloud a letter from the tax attorney advising that they should revote on this property and have Committeeman McNinch to abstain from voting on this property.

**Motion made by Mayor Starrs, second by Deputy Mayor Cuntala and carried to approve by roll call vote: Cuntala—yes, McNinch—abstain, Shippis—yes, Van Horn—yes, Starrs—yes to Resolution 2019-66.**

**2019-67- Resolution to Approve the Submission of a 2019 Grant Application and Execution of a Grant Contract with the New Jersey Historic Trust**

WHEREAS, this NJ Historic Trust Grant is intended for historic preservation and rehabilitation of historic structures; and

WHEREAS, the Ramsaysburg Homestead on the Delaware River is listed as a site on the NJ and National Registers of Historic Places; and

WHEREAS, in recent years Knowlton’s Historic Commission has renovated the exterior of the Ramsaysburg Homestead with funding obtained through grants; and

WHEREAS, the site has become host to a half-dozen grant-funded annual events that serve to bring Knowlton’s community together; and

WHEREAS, the 2019 grant application will include letters from local businesses that support the continued restoration of the Ramsaysburg Homestead because it benefits the area economically,

visually, and encourages tourism; and

WHEREAS, the above mentioned grant will fund the continued restoration and rehabilitation of the Tavern, Cottage, Barn and Shed including site utilities upgrades; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of Knowlton formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Knowlton Township Historic Commission and Clerk are hereby authorized to submit an electronic grant application identified as a Capital Level II Preservation New Jersey Historic Preservation Fund grant in an amount of \$ 365,725 utilizing matching funds provided through a 2016 USDOT TAP grant as administered through the NJDOT.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Knowlton and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

**Motion was made by Committeewoman Cuntala, second by Committeeman McNinch and carried to approve by roll call vote: McNinch—yes, Van Horn—yes, Shipps—yes, Cuntala—yes, Starrs—yes to Resolution 2016-67.**

#### **2019-68 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, second by Committeewoman Cuntala and approved by roll call vote: Cuntala—yes, McNinch—yes, Shipps—yes, Van Horn—yes, Starrs—yes to Resolution 2019-68, with the exception of Gramco maintenance contract.** Committeeman McNinch also commented on an invoice from Superheat and recommends a holding tank for the furnace at the municipal building. Committeewoman Cuntala, liaison for building and grounds, will get quotes for a holding system.

#### **OLD BUSINESS**

##### **Salt Subcommittee**

Committeewoman Cuntala mentioned that the salt subcommittee met twice and explained what was discussed at the meeting. The subcommittee would like a letter sent from the Township Committee with the following request, high curbing in the areas that have highest salt contamination, clean up of salt on the roads after the storms, a request of how much salt the DRJTBC and NJDOT use during the storm. The subcommittee is also requesting to have a source to have the residents go to for clean water. Committeewoman Cuntala agreed to prepare the letter for the committee review for a later

meeting.

### **Trex Recycling Plastic Program**

Mayor Starrs stated that the Knowlton Township Elementary School won their bench for the Recycling Plastic Program. Knowlton Township is continuing the program for the next 6-month period and the drop off will continue to be in the municipal building.

### **Meeting with Knowlton BOE May 13**

Deputy Mayor Shipps and Committeewoman Cuntala agreed to meet with the Knowlton BOE regarding possible regionalization or consolidation with the K-12 district. Mayor Starrs explained that the governor's office agreed to pay for the feasibility study if they receive a letter from every township and every board of education.

### **Portland Generation Station/ Coal Plant Update**

Mayor Starrs explained that every year the American Lung Association rates the air in New Jersey and Warren County has now received an "A" grade for particle pollution. We are a C from ozone. Mayor Starrs also provided an update regarding the Portland Generating Station. GenOn, the owners, have emerged from bankruptcy are looking to sell off pieces of land. The plant no longer burns coal but continues to operate as a "peaking facility. This means 3 turbines burn diesel on days of high demand. The turbines are not filtered.

### **Tunnel Field Water Testing**

Committeeman McNinch went over the cost of the water testing at Tunnel field and was inquiring if there is anything that can be done to cut cost. Committeewoman Cuntala explained that with the new 4-log system, the water test should pass and testing will not be required as frequently. The water testing is required by the state.

### **Township-owned Properties**

Mayor Starrs provided Committeeman Van Horn a map of township owned properties and requested that he look at the vacant lands and see if they are worth selling and to discuss at a later meeting.

### **NEW BUSINESS**

#### **Blue Light Permit**

Motion was made by Mayor Starrs, Second by Committeewoman Cuntala and carried to approve the Blue Light Permit of Robert Evans.

#### **Delaware Beach**

Committeeman Van Horn explained to the committee that there are residents who would like to volunteer to fix the swale at Delaware Beach for boat launching. It would be no cost to the township. Acting Clerk Shipps will speak with Risk Manager Sharon Cooper.

**CORRESPONDENCE**—No Correspondence

**MEETING MINUTES**

**March 28, 2019 Executive Session Meeting Minutes**

Executive Session minutes to be discussed during Executive Session.

**March 28, 2018 Public Session Meeting Minutes**

Motion was made by Committeeman McNinch , second by Committeewoman Cuntala and carried to approve March 28, 2018 Public Session Meeting Minutes.

**April 8, 2019 Executive Session Meeting Minutes**

Motion was made by Committeeman McNinch, second by Committeewoman Cuntala and carried to approve April 8, 2019 Executive Session Meeting Minutes. Deputy Mayor Shipps abstained

**April 8, 2019 Public Session Meeting Minutes**

Motion was made by Committeewoman Cuntala, Second by Committeeman McNinch and carried to approve April 8, 2019 Public Session Meeting Minutes. Deputy Mayor Shipps abstained.

**PUBLIC COMMENT**—No public comments

**EXECUTIVE SESSION**

**Motion was made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve to go into Executive Session at 8:17 p.m.**

**Resolution 2019-69 Authorizing an Executive Session**

WHEREAS, the Open Public Meetings Act; N.J.S.A. 10:4-6 et seq., declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognized exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Township Committee find it necessary to conduct an executive session closed to the public as permitted by the N.J.S.A. 40:4-12; and

WHEREAS, the Mayor and Township Committee will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Knowlton Township, County of Warren, State of New Jersey that they will conduct an executive session to discuss the following topic (s) as permitted by N.J.S.A. 40:4-12:

- A. Personnel
- B. Contracts

BE IT FURTHER RESOLVED that the Mayor and Township Committee hereby declare that their discussion of the subject (s) identified above may be made public at a time when the Township Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Mayor and Township Committee, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

Motion was made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve to return to Pubic Session at 10:18 pm

**March 28, 2019 Executive Session Meeting Minutes**

Motion was made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve March 28, 2019 Executive Session Meeting Minutes with amendment that was discussed during Executive Session.

**ADJOURNMENT**

Motion was made by Mayor Starrs, second by Committeewoman Cuntala and carried to adjourn tonight's Township meeting at 10:18 p.m.

Respectfully submitted,  
Kristin Shipps  
Acting Municipal Clerk