

**MINUTES OF KNOWLTON TOWNSHIP
WARREN COUNTY, NEW JERSEY
PUBLIC MEETING MINUTES
April 26, 2018**

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 7:03 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 Star Gazette and/or the Express Times as well as providing said schedule in the Municipal Clerk's office."

Roll Call

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

Also present was Township Engineer Ted Rodman and Township Auditor John Mooney

PUBLIC COMMENT

Resident Pam Rusweiler inquired about the salt shed and thought that a pad was to be put in front of it. Mayor Starrs asked DPW Supervisor Brian Peck to get quotes for a pad and also asked Township Engineer Ted Rodman to work with Mr. Peck to get doors on the shed. Ms. Rusweiler also wanted to know if the truck was being loaded in the shed. Mr. Rodman would have to defer that question to Mr. Peck.

Stan Prater from JCP&L was present and was looking for feedback from the township regarding the recent storms. Mr. Prater does know that this area was devastated. Mayor Starrs asked what JCP&L took away from the first two BPU hearings that occurred. Mr. Prater said better communications. Mr. Prater said that the automated service regarding outages were not updated and gave out bad information. Other complaints included tree trimming. Residents wanted aggressive tree trimming. Committeewoman Shipps spoke with some of the workers from out of state, and they said they could not believe how outdated the township equipment was. Mr. Prater said they heard that a lot, however, inspections are done and all the equipment is functioning and operating. Committeeman McNinch mentioned there is a farmer who had no power for 5 days because of a blown fuse and why that would not have been taken care quickly since it seemed to be an easy fix. Mr. Prater explained that they have a list of critical facilities in each town. The attention would go first to the areas that had the most power outages. Mayor Starrs asked Mr. Prater about the new program that JCP&L is working on that would be an automatic way to fix fuse problems. Mr. Prater said it's called smart fusing. The boxes isolate and minimize the number of customers that would be affected by power outages when the issue is a simple fuse. Mayor Starrs asked if submitting a letter to have Knowlton Township be part of the pilot program for Smart Fusing would help. Mr. Prater said that it couldn't hurt. Committee agreed to have Mayor Starrs send a letter to JCP&L.

ORDINANCE

Public Hearing/Adoption

2018-02 An Ordinance Amending Chapter 174 of the Code of the Township Entitled “Vehicles and Traffic” in Order to Establish Authority for Emergency Towing by the Township

WHEREAS, Chapter 174 Section 12 of the Code of the Township of Knowlton (the “Code”) establishes that the Township of Knowlton (the “Township”) may temporarily prohibit parking due to snow plowing, snow removal, and other emergencies; and

WHEREAS, Chapter 174 Section 3 of the Code governs parking prohibitions during a state of emergency; and

WHEREAS, It has been recommended that the Mayor and Committee Amend said sections of the Code to provide the Township with maximum flexibility in the removal of abandoned or illegally parked vehicles during an emergency

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Knowlton, the County of Warren, that Chapter 174 entitled “Vehicles and Traffic” of the Code is hereby amended as follows:

Section 1: Section 174-12 of the Code entitled “Temporary prohibition of parking for snowplowing, snow removal, and other emergencies” is hereby amended and supplemented as follows (Additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~):

§ 174-12 Temporary prohibition of parking for snowplowing, snow removal and other emergencies.

- A. Temporary parking prohibition. Whenever snow has fallen and the accumulation is such that it covers the street or highway, an emergency shall exist, and no vehicle shall be parked on any of the streets or parts of streets described in § 174-30, Schedule XVII: Prohibition of Parking Temporarily for Snowplowing, Snow Removal and Other Emergencies, attached to and made a part of this chapter.
- B. Time of prohibition. The above parking prohibitions shall remain in effect after the snow has ceased until the streets have been plowed sufficiently and to the extent that parking will not interfere with the normal flow of traffic.
- C. Removal of vehicle; cost. Any unoccupied vehicle parked or standing in violation of this section shall be deemed a nuisance and a menace to the safe and proper regulation of traffic; Any police officer, *the Township Emergency Management Coordinator, or in his or her absence, the Township Deputy Emergency Management Coordinator*, may provide for the removal of such vehicle. The owner shall pay the reasonable costs of the removal and storage which may result from such removal before regaining possession of the vehicle.

Section 2. Section 174- 3 of the Code entitled “Parking” is hereby amended and supplemented as follows (Additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~):

§ 174-3 Parking.

A. Regulations not exclusive. The provisions of this chapter imposing a time limit on parking shall not relieve any person of the duty to observe other more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles as set forth in N.J.S.A. 39:4-138, any other New Jersey statute or as hereinafter provided.

B. Parking prohibited during state of emergency.

- (1) Upon the declaration of an emergency, there shall be no parking upon streets or sections of streets where temporary EMERGENCY NO PARKING signs are displayed. *Any State Police Officer, the Township Emergency Management Coordinator, or in his or her absence, the Township Deputy Emergency Management Coordinator* are authorized to declare an emergency and to direct the posting of EMERGENCY NO PARKING signs when weather conditions, accidents, fire or public celebrations dictate or require the avoidance of hazards or other conditions which interfere with the free flow of traffic. Notification that EMERGENCY NO PARKING signs are being or will be posted shall be given to the operator or owner of any vehicle which has been parked prior to the posting of the signs.
- (2) Any unoccupied vehicle parked or standing in violation of this section shall be deemed a nuisance and menace to the safe and proper regulations of traffic, and any *State police officer, the Township Emergency Management Coordinator, or in his or her absence, the Township Deputy Emergency Management Coordinator* may provide for the removal of such vehicle. The owner shall pay the reasonable costs of removal and storage which may result from such removal before regaining possession of the vehicle.
- (3) The effectiveness of this subsection is contingent upon the signs being erected as required by law.

C. Parking prohibited at all times on certain streets.

- (1) No person shall park a vehicle at any time upon any of the streets or parts thereof described in § 174-14, Schedule I: No Parking, attached to and made a part of this chapter.
- (2) Removal of vehicles. Any vehicle found parked or standing in violation of Schedule I may be removed by towing or otherwise by any duly authorized agent of the Township of Knowlton and may be taken to any lawful place and kept until claimed by the owner or person having possession, custody or control of the vehicle. Any garage keeper or other person engaged in the business of towing and storing vehicles may be employed or engaged for the purpose of removing and storing any such vehicle. Any person who shall cause, allow or permit any vehicle to park or stand in violation of Schedule I shall by so doing be deemed to designate, constitute and appoint the Township of Knowlton, its agent and attorney of such person for the purpose of removing and storing such vehicle as hereinafter provided and, further, shall be deemed to release the Township from and to waive any and all claims for damage of any nature whatsoever arising out of the removal and storing of such vehicle and shall be liable for the payment of all fees and other charges and expenses incurred by reason of the removal by

towing or otherwise and for storing of such vehicle.

D. Parking prohibited during certain hours on certain streets and parking areas. Unless on official business or during regular business hours or on officially sanctioned activities, no person shall park a vehicle between the hours specified in § 174-15, Schedule II: Parking Prohibited Certain Hours, of any day upon any of the streets or parts of streets or parking areas or parts of parking areas described in Schedule II, attached to and made a part of this chapter.

E. Stopping or standing prohibited during certain hours on certain streets. No person shall stop or stand a vehicle between the hours specified in § 174-16, Schedule III: No Stopping or Standing, of any day (except Sundays and public holidays) upon any of the streets or parts of streets described in Schedule III, attached to and made a part of this chapter.

F. Parking time limited on certain streets. No person shall park a vehicle for longer than the time limit shown in § 174-17, Schedule IV: Time Limit Parking, at any time between the hours listed in Schedule IV, of any day upon any of the streets or parts of streets described in Schedule IV, attached to and made a part of this chapter.

G. Permit parking only on certain streets.

- (1) No person shall park a vehicle at any time upon any of the streets or parts thereof described in § 174-14.1, Schedule 1A, Permit Parking, attached to and made a part of this chapter, unless the vehicle shall bear a valid permit.
- (2) A parking permit of a design specified by the Township will be issued to the owner of a specific vehicle upon submission of the appropriate application and supporting documents. A permit will only be issued to the applicant for the purposes of hiking, biking, fishing or hunting in areas proximately located to the parked vehicle. The permit shall display the permit number, the make, model, and color of the vehicle, and the date the permit expires. No permit shall be issued to a vehicle having more than four wheels. The vehicle must be owned by the applicant.
- (3) A valid driver's license and proof of registration and insurance for the permitted vehicle must be presented and approved by the Township Clerk before a permit is issued. If the applicant seeks to obtain the permit for the purposes of hunting and/or fishing, the appropriate and valid license must be presented and approved by the Township Clerk. No person other than the Township Clerk or his/her designee shall be authorized to issue said permit.
- (4) The permit is to be displayed on the front driver's side dashboard or rear view mirror when the vehicle is parked. The permit shall be removed when the vehicle is in motion.
- (5) A new permit must also be obtained in the event of change of address or any vehicle or license plate on a previously registered automobile.
- (6) All permits will automatically be revoked if the assigned vehicle ceases to qualify for the permit, if permit is affixed to a car other than the one so designated at the time of application,

or if the vehicle registration number on the parking permit is different than the one on the vehicle or if a permit holder fails to report a change of address to the Clerk. If revoked, the permit shall be promptly returned to the Township Clerk.

- (7) Any vehicle bearing a revoked parking permit and parked on a street posted "permit only" will be subject to the same penalty as a vehicle parked in that location without a valid permit.
- (8) Permits will be valid for during the calendar year issued (January 1 through December 31). Any permit issued after June 30 of the permit year shall cost 1/2 of the regular permit fee.
- (9) Any vehicle parked in violation of the parking permit regulations will be subject to a fine of \$50 or removal pursuant to this section. Persons in possession of parking permits who misuse them, including obtaining them for purposes other than hunting, fishing, biking, and hiking, are subject to revocation of the permits for one year and a fine of \$100. Any person(s) found to possess an invalid, expired, or counterfeit permit shall be subject to a fine of \$100.
- (10) Any vehicle found parked or standing in violation of this section and Schedule I A may be removed by towing or otherwise by any duly authorized agent of the Township and may be taken to any lawful place and kept until claimed by the owner or person having possession, custody, or control of the vehicle. Any garage keeper or other person engaged in the business of towing or storing vehicles may be employed or engaged for the purpose of removing and storing any such vehicle. Any person who shall cause, allow or permit any vehicle to park or stand in violation of Schedule IA shall by so doing be deemed to designate, constitute, and appoint the Township, its agent and attorney of such person for the purpose of removing and storing such vehicle as hereinafter provided and, further, shall be deemed to release the Township from and to waive any and all claims for damage of any nature whatsoever arising out of the removal and storing of such vehicle and shall be liable for the payment of all fees and other charges and expenses incurred by reason of the removal by towing or otherwise and for storing of such vehicle.

SECTION 3. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. This Ordinance shall take effect upon final passage and publication according to law.

Motion was made by Mayor Starrs, second by Deputy Mayor Cuntala, and approved by an all-in-favor to open public comment on the ordinance.

No public comment.

Motion was made by Mayor Starrs, second by Deputy Mayor Cuntala, and approved by an all-in-

favor to close the public comment.

Motion was made by Mayor Starrs, second by Deputy Mayor Cuntala, and approved by a roll call vote: Cuntala—yes, McNinch—yes, Shipps—yes, Van Horn—yes, Starrs—yes to adopt Ordinance 2018-02.

Introduction

2018-03 Calendar Year 2018 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A 40A: 4-45.14)

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 2018 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 \$58,160.10 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 2018 budget year, the final appropriations of the Town of Belvidere shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$58,160.10 and that the CY 2018 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 was made Mayor Starrs, second by Deputy Mayor Cuntala, and approved with a roll call vote: Cuntala—yes, McNinch—yes, Shipp—yes, Van Horn—yes, Starrs—yes, with the amendment to replace “Belvidere” with “Knowlton Township” and to have the amount of \$58,161.10 repeated in the sixth paragraph for the Introduction of Ordinance 2018-03.

RESOLUTIONS

2018-66 Self-Examination of Budget Resolution

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.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 through 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 local government meets the necessary conditions to participate in the program for the 2018 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Knowlton that in accordance with N.J.A.C. 5:30-7.6a & 7.6b 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 N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with 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 will be forwarded to the Director of the Division of Local Government Services upon adoption.

Motion was made by Mayor Starrs, second by Deputy Mayor Cuntala, and approved by roll call vote: Cuntala—yes, McNinch—yes, Shippo—yes, Van Horn—yes, Starrs—yes to Resolution 2018-66.

2018-67 Resolution Increasing the 2018 Fee Allotted for the Sewer Engineer

WHEREAS, Resolution 2018-32 authorizing the hiring of a sewer engineer for the year 2108 and funding for fees for the same not to exceed \$12,500.00

WHEREAS, the Township of Knowlton requires additional scope of services from the sewer engineer that were not contemplated at the time of Resolution 2018-32

WHEREAS, it is estimated the additional scope of service will result in an additional fee not to exceed \$10,00.00.

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

1. The Mayor and Clerk are authorized to execute a revised mutually agreeable written Agreement with said Sewer Engineer consistent with the terms of the Proposal within thirty (30) days of the date of this Resolution, subject to the Chief Financial Officer certifying there are adequate funds in the Township's budget to fund the agreement, fee shall not exceed \$22,500.
2. This Agreement is awarded without competitive bidding as a "Professional Service" under the provision of the Local Public Contracts Law, N.J.S.A. 40A:11-5.

4. Adequate funds have been or will be appropriated for the services of Sewer Engineer as certified by the Chief Financial Officer up to an amount not exceeding \$22,500.00.

Motion was made by Committeeman McNinch, second by Mayor Starrs, and approved by roll call vote: Cuntala—yes, McNinch—yes, Shipps—yes, Van Horn—yes, Starrs—yes to Resolution 2018-67

2018-68 Resolution Approving 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 Deputy Mayor Cuntala, second by Mayor Starrs and approved by roll call vote: Cuntala—yes, McNinch—yes, Shipps—yes, Van Horn—yes, Starrs—to Resolution 2018-68.

Introduction of the 2018 Municipal Budget

Motion was made by Mayor Starrs, second by Deputy Mayor Cuntala and approved by roll call vote: Cuntala—yes, McNinch—no, Shipps—yes, Van Horn—yes, Starrs—yes to the Introduction of the 2018 Municipal Budget.

DEPARTMENT REPORTS

Township Engineer Ted Rodman a problem statement for the Route 80 entrance from Simpson Rd need to be resubmitted due to personnel changes at the DOT. Hemlock Rd. still waiting on estimates. Polkville Rd., getting ready to restart this project, getting together preconstruction meeting sort out paving and milling cost. Mr. Rodman suggested putting the 622 Route 94 quotes on hold for now. Mr. Rodman will prepare a sheet with what is needed so we are comparing apples to apples with quotes. Memo from NJDOT saying that Washington St. is not DOT jurisdiction. Mr. Rodman believes they are mistaken and is going to look into the matter.

Deputy Mayor Cuntala had two things from Recreation Director Dennis Lembeck. He asks if the fences at Tunnel Field can be fixed before the Township received the insurance check. Acting Clerk Shipps explained that she has all the information for the most recent incident and it has been forwarded to insurance agent Sharon Cooper, but she does not have any information on the first fence incident and that might have to be paid out of insurance. Acting Clerk Shipps will follow up with Sharon Cooper.

Also, the Hardwick Seniors would like to have a picnic in the park and would like to waive the fee for the Pavilion. Committee agreed to waive the fee.

OLD BUSINESS

2018 Personnel Manual Revisions

Committeewoman Shipps defined good standing as any type of disciplinary action.

Committeewoman Shipps will forward this information to Township attorneys. Committeeman

McNinch will add wording regarding how many hours the eligible employees will have to work per year to qualify.

622 Route 94--Discussed during Department Reports.

Draft Registration of Abandoned Properties Ordinance

Mayor Starrs explained that this was discussed at the end of last year and would like talk about it again since there is a new Committeeperson. The ordinance requires owners of abandoned or foreclosed properties to pay a fee: \$500 the first year, \$1,500 the second year, \$3,000 the third year. Mayor Starrs said the ordinance is meant to encourage banks to turn over houses quickly and not let them sit in foreclosure for ten years. She provided a copy of the Blairstown Township Ordinance which adds a registry element. Mayor Starrs read through the ordinance. Committeeman McNinch would like to have the wording added so that it applies to banked owned properties and private individuals would be excluded. Mayor Starrs will ask Township attorneys draw up a new draft.

Motion was made by Mayor Starrs, second by Deputy Mayor Cuntala and approved by a roll call vote: Cuntala—yes, McNinch—yes, Shipps—yes, Van Horn—yes, Starrs—yes to have Township Attorney Richard Cushing or Leslie Parikh prepare an ordinance to have a vacant property registry.

Letter to SADC

Committeeman McNinch explained the SADC is looking for information. Mr. Mathez drafted a letter to send to SADC. **Motion made by Mayor Starrs, seconded by Deputy Mayor Cuntala and approved with an all-in-favor to have Mayor Starrs sign the letter.**

NEW BUSINESS

Knowlton Municipal Foreclosures

Mayor Starrs provided the committee with quotes on municipal foreclosures: Gephard & Keifer declined as the Township may get a better price with a firm that specializes in them, Keith Bonchi from GMS Law, and Carmen J. Luizza, Jr. from Gruber, Colabella, Luizza & Thompson. Committeeman McNinch said a title search is fairly easy that the township might be able to cut cost by doing our own title search. Mayor Starrs had said that it was in GMS contract that the company would prefer to do the title search. Committee agreed to have Mayor Starrs reach out to Keith Bonchi from GMS and have him prepare a professional service agreement for the next meeting but it will not be approved unless the Committee has the list of foreclosures from Tax Collector Evan Howell.

Committeeman McNinch mentioned that the town owns about approximately \$700,000 of property that have been foreclosed from tax lien and has reached out to Tax Collector Evan Howell to get a list of those properties and trying to sell some of them. Committee agreed to have Committeeman McNinch continue looking into this project.

CORRESPONDENCE

NJDOT Route 80 Rockwall meeting will be held on May 9, 2018. A member from Congressman Gottheimer's office and Senator Booker's office will be present, plus Knowlton Township, Hardwick Township and the National Park Service. Mayor Starrs also learned that the project is not funded by federal funds it is being funded by state money.

PUBLIC COMMENT

No public comment

ADJOURNMENT

Motion was made by Mayor Starrs, seconded by Deputy Mayor Cuntala, and carried to adjourn tonight's Township meeting at 8:16 p.m.

Respectfully submitted,

Kristin Shipps
Acting Municipal Clerk