

**MINUTES OF KNOWLTON TOWNSHIP
WARREN COUNTY, NEW JERSEY
PUBLIC MEETING MINUTES
August 12, 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 7:05 p.m. by Deputy Mayor Shipps.

Deputy Mayor Shipps led the public in the Pledge of Allegiance.

Deputy Mayor Shipps 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, and Mayor Starrs (joined at 7:10 p.m. via speaker phone, due to illness)

Also present was Township Engineer Ted Rodman, Municipal Judge Dominick Santini, Municipal Court Administrator Roseanne McPartland, Deputy Municipal Court Administrator Ruth DeGeorge and Township Attorney Richard Cushing.

EXECUTIVE SESSION

Motion was made by Deputy Mayor Shipps, second by Committeewoman Cuntala and carried to approve to go into Executive Session at 7:06 p.m.

Resolution 2019-116 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. Contract Negotiations

B. Attorney Advice

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 Deputy Mayor Shippo, second by Committeewoman Cuntala and carried to approve to return to Public Session at 7:35 p.m.

PRESENTATION

Beth Styler Barry, Nature Conservancy— Update Columbia Dam Removal

Ms. Barry presented a slide show that provided the committee and residents with an update regarding the removal of the Columbia Dam. The dam has been removed as of the last week of April. Ms. Barry pointed out the area that was once a lake is now a flowing river. Ms. Barry explained about a concern that is happening right now is that some of the banks are a lot steeper. NJDEP would like the Nature Conservancy to go and manually grade all the banks which would add cost to the project. Nature Conservancy would like to have nature take over to fix the bank issue.

Ms. Barry also showed a slide that had 3 large televisions that were just dumped in the Columbia Dam area. Ms. Barry requested that if anyone sees anything like this to please reach out to her. She would leave it anonymous if requested.

Ms. Barry also advised the residents that she received a phone call regarding big trucks going through a no truck street in the township. They were not trucks that anything to do with the dam removal. The contract for the demolition for the power house has been awarded. Demolition will be begin August 19th which is being done by the state of New Jersey.

Clean up for the Columbia dam area will be October 5th with a rain date with November 2nd.

Resident Vincent Gaeta asked when it is going to be open to the public. Ms. Barry said that she was hoping the beginning of the year but with the state's concern about the banks they can prevent that from happening.

PUBLIC COMMENT

Resident Tim Bodine- Mr. Bodine lives on Polkville Rd. and presented pictures about an ongoing issue regarding the berm that was once located on Polkville Road which is now part of the road.

Committeewoman Cuntala explained that DPW Supervisor Brian Peck has investigated getting an outside source to fix the issue but it is so expensive and that Mr. Peck will put this on the top of his list for the fall to be fixed.

Stan Prater JCP&L- came to give an update on the enhanced tree trimming which should begin in Knowlton around the 1st or 2nd week of September. Mr. Prater will notify the township on the

exact date when it is known. Mr. Prater explained to the committee what enhanced trim trimming is needed to clear further down the circuits for more clearance. Hazardous and dead trees will be removed. If the trees are on private, JCP&L will ask permission from the property owner to remove or trim the trees.

Mr. Prater explained that trip savers, which are fuses that will activate themselves and help JCP&L to restore customers faster, will be installed. The trip savers will isolate an outage so a lesser number of customers will be effected.

Deputy Mayor Shipps asked Mr. Prater about delivery charge increase on her bill from \$.03 to \$.05 per kWh. Mr. Prater explained that it is peak season and the charge does go up in summer but will look into it a little more and get back to the committee.

Mayor Starrs asked if Mr. Prater could get a comparison of outages from this year to last year. Mayor Starrs has noticed a dramatic difference in power outages in Knowlton. Mayor Starrs believes that it is from all the tree trimming that has been done. Mr Prater will send that information over to Mayor Starrs.

DEPARTMENT REPORTS

Municipal Court

Municipal Judge Dominick Santini, Municipal Court Administrator Roseanne McPartland, and Deputy Municipal Court Administrator Ruth DeGeorge have all been Rice Noticed for this discussion and requested Public Session.

Deputy Mayor Shipps explained that the municipal court has had significant losses in the courts over the past few years, with a deficit of \$130,000 in 2018. Deputy Mayor Shipps explained that the township is looking to renegotiate with the other 3 municipalities. Deputy Mayor Shipps stated that they need to protect the tax payers and can not continue to sustain these losses and asked the court employees for their ideas to help.

Municipal Judge Dominick Santini explained that the budget should be divided by 4 and that is how the municipalities should pay. Attorney Cushing suggested having the losses split proportionately according to the size of the court. Judge Santini said that it is going to get worse and he also suggested that he look at the contracts before the township signs.

Deputy Mayor Shipps explained that they are hoping to get more money from the other municipalities for this year and next year but we must consider dissolving the courts at the end of 2020 when all contracts have expired.

Mayor Starrs asked Judge Santini to write up language the township should use for the Blirstown Contract.

Attorney Cushing said to Judge Santini that it would be difficult to have a smaller town that does not have a police department to split the cost equally. Judge Santini agreed that Blirstown should pay the most because of the police department. Attorney Cushing also asked where the revenue goes for the Blirstown tickets that are written. Judge Santini said Knowlton.

Deputy Mayor Shipps asked to hear from the Court Administrator Roseanne McPartland and Deputy Court Administrator Ruth DeGeorge explaining that the committee is looking into having court staff cut down to 4 days a week and if they should lost Blairstown it may be cut to 3 day work weeks.

Mrs. McPartland said that there is a lot of work when it comes to Blairstown. Mrs. McPartland also asked where the \$130,000 deficit is written. Deputy Mayor Shipps explained it was numbers that was produced by CFO Christine Rolef. Mayor Starrs asked Committeeman McNinch to repeat the conversations that he had with AOC regarding staffing in Knowlton. Committeeman McNinch said according to the division manager of the AOC most resent analysis that Knowlton Township’s staffing level is currently 2.74 people, which includes the security guard versus a level of 2.53 based on state averages.

Mrs. DeGeorge said that everything had been said.

Committeewoman Cuntala asked the court staff how a reduction would effect the courts. Mrs. McPartland stated that she would like to add an additional staff person for the current work load that the courts have, so cutting days will have a huge impact.

Mayor Starrs asked if the committee agrees to table the Blairstown Contract so that the Mayor and another member of the committee can go a renegotiate the contract including the verbiage suggested by Judge Santini. Committee members agreed.

Township Engineer Ted Rodman

Bruglar Road—still in the process of getting police reports.

Stark Rd— paving should start the week of August 19th weather permitting.

Overlay of Kill/Station Road—start date week of August 19th, weather permitting.

Tunnel field water treatment—no approval yet from NJDEP. Still waiting on the permit.

Frog Pond Rd— problem statement was sent to the committee for approval once approved it will be sent to NJ DOT.

Courtland Estates — Committeeman McNinch recused himself for this conversation and sat in the audience. Resident Joe Trinca bid on 3 lots a number of years ago. Mr. Trinca is still interested in one of the lots but not the other 2 lots. Those lots need to go out for bid again. Mr. Rodman went out to look at the lots to see if they are buildable lots which he believed they are but there needs be a variance done. Deputy Mayor Shipps did not know where to start on a bid price. Attorney Cushing suggested going back to MaxSpann which is the firm they used to auction off the house next door.

RESOLUTIONS

2019-117- Governing Body Certification of the Annual Audit

WHEREAS, N.J.S.A 40A: 5-4 requires the governing body of every unit to have made an annual audit of its books, accounts and financial transactions: and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant and with the Municipal Clerk pursuant to N.J.S.A 40A: 5-6 and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52: 27BB-34 authorized the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C 5:30-6-5, a regulation requiring that the governing body of each municipality shall, by resolution , certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit report entitled “ Comments and Recommendations”; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the annual Audit entitled “ Comments and Recommendations” , as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C 5:30-6-5, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the member of the local governing body to the penalty provisions of R.S. 52:27BB-52 to wit’

R.S.52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refused to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Knowlton, hereby state that it has complied with N.J.A.C 5:30 6-5 and does hereby submit a certified copy of this resolution and required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON *August 12, 2019*.

Motion made by Committeewoman Cuntala, second by Committeeman McNinch and carried to approve Resolution 2019-117.

2019-118- Corrective Action Plan

WHEREAS, Local Finance Board requires that a Corrective Action Plan for the 2018 Audit be completed by the Chief Financial Officer and approved by the governing body, and

WHEREAS, the Chief Financial Officer has completed and submitted same Corrective Action Plan to the Governing Body for its review,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Knowlton, County of Warren, State of New Jersey, that the Corrective Action Plan as prepared by the Chief Financial Officer is hereby approved.

Motion made by Committeewoman Cuntala, second by Committeeman McNinch and carried to approve Resolution 2019-118

2019-119-Resolution approving the 2020 Shares Services Agreement for Shared Municipal Court Between Knowlton Township and Blirstown Township—tabled until a future township committee meeting.

2019-120-Adopting an Affordable Housing Trust Fund Spending Plan

WHEREAS, the Township of Knowlton (the “Township”) filed a Declaratory Judgment Action (the “Litigation”) in the Superior Court of New Jersey, Hunterdon County, in furtherance of the Supreme Court’s March 10, 2015, decision captioned In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (the “Supreme Court Decision”), which was assigned to the Honorable Thomas C. Miller, P.J., Cv.; and

WHEREAS, Fair Share Housing Center (“FSHC”) is a Supreme Court-designated interested party in the Litigation in accordance with the Supreme Court Decision; and

WHEREAS, through that process, the Township and FSHC agreed to settle the Litigation pursuant to a certain Settlement Agreement;

WHEREAS, pursuant to such Settlement Agreement, the Township Planning Board adopted and the Township Committee endorsed a Housing Plan Element and Fair Share Plan; and

WHEREAS, the Township has in place a Development Fee Ordinance that establishes standards for the collection, maintenance, and expenditure of development fees to be used for providing low- and moderate-income housing in the Township; and

WHEREAS, the Development Fee Ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of construction of affordable units on-site, barrier free escrow funds, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units; and

WHEREAS, N.J.A.C. 5:97-8.1(d) requires a municipality with an affordable housing trust fund to receive approval of a spending plan from the Council on Affordable Housing or a court of competent jurisdiction prior to spending any of the funds in its housing trust fund; and

WHEREAS, the Township Planner has prepared a spending plan consistent with N.J.A.C. 5:97-8.10, which is attached hereto; and

WHEREAS, the Township wishes to continue to provide affordable housing opportunities through expenditure of funds through the Affordable Housing Trust Fund;

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

1. The Township Committee approves and adopts the Spending Plan attached hereto.
2. The Township Committee requests that the court review and approve the attached Spending Plan.
3. This Resolution shall take effect immediately.

Motion was made by Committeewoman Cuntala, second by Committeeman McNinch and approved by Roll call vote: Cuntala--yes, McNinch--yes, Shipps--yes, Van Horn--yes, Starrs—yes to Resolution 2019-121.

2019-121- 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 made by Committeewoman Cuntala, second by Committeeman McNinch and approve by roll call vote: Cuntala --yes, McNinch--yes, Shipps--yes, Van Horn-yes, Starrs—abstain to Resolution 2019-121.

OLD BUSINESS

Polkville Rd Berm Status—discussed during Public Comment

NEW BUSINESS

Citizens of Distinction—Deputy Mayor Shipps suggested recognizing a Knowlton resident who is an international athlete and has had a lot of accomplishments during community day. Mayor Starrs suggested that she prepare a resolution for the committee to review at the next meeting. Committee agreed.

Clean Communities T-Shirts—Deputy Mayor Shipps asked how the Committee felt about putting the “Stop the Route 80 Rockwall” logo on the Clean Communities T-shirts this year. Committee did not agree.

Energy Aggregation —Deputy Mayor Shipps said that social media has had complaints about electricity bills doubling. There are three causes: JCP&L raised their delivery charge from \$0.03 to 0.05, higher usage in July than previous months, and IDT’s third-party supplier rate. IDT, our current Energy Aggregation provider, sent a letter stating that IDT rates were going to be higher than JCP&L which was posted on our website. Mayor Starrs spoke with IDT and they do not consider reconciliation cost and that it does not count. Mayor Starrs is going to be having a phone conference meeting with the other Mayors that are in the Energy Aggregation program and Higher ups of the Energy Aggregation program.

CORRESPONDENCE

MEETING MINUTES

July 25, 2019 Executive Session Meeting Minutes

Motion was made by Committeeman McNinch, Second by Committeewoman Cuntala and carried to approve July 25, 2019 Executive Session Meeting Minutes.

July 25, 2019 Public Session Meeting Minutes

Motion was made by Committeeman McNinch, Second by Committeewoman Cuntala and carried to approve July 25, 2019 Public Session Meeting Minutes.

PUBLIC COMMENT

Resident Vincent Gaeta asked when the speed bumps are expected on Washington St. Deputy Mayor Shipps did not but will look into it. Mr Gaeta also asked if the committee was aware of the sink hole in front of the post office on Decatur St.

Jaime Murray who is on the Environmental Commission and Master Plan subcommittee asked for the status of the Wastewater Management Plan that CP Engineering contracted to handle a few years ago. This was through a NJDEP grant that the township received. Committeeman McNinch said that he has gone through the files and that the plan was not finished due to lack of funds. Mrs. Murray will reach out to Committeeman McNinch to get this Wastewater Management Plan completed.

ADJOURNMENT

Motion was made by Deputy Mayor Shipps, second by Committeewoman Cuntala and carried to adjourn tonight's Township meeting at 9:20 p.m.

Respectfully submitted,
Kristin Shipps
Acting Municipal Clerk