

**MINUTES OF KNOWLTON TOWNSHIP  
WARREN COUNTY, NEW JERSEY  
Public Session Meeting Minutes  
December 14, 2020**

The meeting of the Knowlton Township Committee was held on this date at the Knowlton Municipal Building, 628 Route 94, Columbia, New Jersey. This meeting was held by electronic means via ZOOM as a result of the COVID-19 pandemic and various executive orders in connection with same and was called to order at 7:01 p.m. by Mayor Starrs.

Mayor Starrs led the public in the Pledge of Allegiance.

Mayor Starrs read the following statements "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* as well as providing said schedule in the Municipal Clerk's office."

**Open Public Meetings Act:**

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 *Star Gazette* as well as providing said schedule in the Municipal Clerk's office.

**ELECTRONIC MEETING STATEMENT:**

Due to the ongoing COVID-19 pandemic and restrictions on in-person public gatherings by executive orders of the Governor of New Jersey, meetings of the Knowlton Township Committee will be held remotely via Zoom. The Zoom platform allows for members of the public to participate via computer, mobile device, or telephone. Pursuant to N.J.A.C. 5:39-1.5(g): Both adequate and electronic notice of this meeting has been provided by publishing a revised annual notice in the two official newspapers designated by the Township, posting such notice on the door of the municipal building, and posting such notice on the municipal website. Such notice specified the time of this meeting and provided instructions on how to access the meeting remotely. The following is an explanation of the procedures and requirements for making public comment as required by N.J.A.C. 5:391.4(h).

Please keep yourself muted until the meeting moderator requests that you unmute yourself. The Township reserves the right to mute or remove disruptive meeting participants after an initial warning. Disruptive conduct includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption, and use of profanity.

Comments will be accepted in writing. Written comments must be no more than 450 words and must include your name and address. This equates to about 3 minutes of speaking, which is the amount of time allowed for each public comment. Such comments will be read into the record at the appropriate time. However, please be advised that the Township reserves the right to summarize duplicative comments consistent with N.J.A.C. 5:391.4(f). Comments can be emailed by 3:00 p.m. the day of the meeting to: [Knowltonpubliccomments@knowlton-nj.com](mailto:Knowltonpubliccomments@knowlton-nj.com). Written comments may also be submitted via mail or dropped off at the municipal building by such day and time.

Comments will also be accepted during the appropriate times of the meeting via Zoom. If you wish to make a comment during the meeting please use the "raise hand" button on your screen if you are signed in via Zoom. If you are accessing the meeting via telephone, please hit \*9 and the meeting moderator will call on you and identify you by the last few digits of your phone number. You can press \*6 to unmute yourself. Please state your name and address before beginning your comment. As always, comments are limited to three minutes per

person and there will be two comment sessions during the meeting. Please be advised that this meeting is being recorded.

**Roll Call**

**Cuntala--yes, McNinch--yes, Shipps--yes, Van Horn--yes, Starrs—yes.**

**Also present was Township Attorney Leslie Parikh and Township Engineer Ted Rodman.**

**EXECUTIVE SESSION**

**Motion made by Mayor Starrs, Second by Committeewoman Cuntala and carried to approve to go into Executive Session at 7:04 pm**

**2020-151 Resolution Authorizing 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. Contract Negotiations

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.

**Motion made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve to come out of Executive Session at 8:16 pm**

**PRESENTATION**

**Sharon Cooper-Risk Management Consultant**

Mrs. Cooper went over the renewal with Statewide for the next 3 years. This year's premium was increased to 99,923 up 1.5% from last year's premium.

**PUBLIC COMMENT** --No Public Comments

**DEPARTMENT REPORTS**

**Township Engineer Ted Rodman: Linaberry State Aid Penalty** --Linaberry Road has been paved, cored, record and stripped. The average penalties are 5% and 15%. Paperwork is being processing to close this grant out. Penalty cost will come out of what the township paid.

**Stormwater Ordinance**--NJDEP Stormwater Ordinance needs to be adopted by March 1, 2021.

**State Aid 2021**--State Aid has been received for Mt. Pleasant Road. We have received less than requested. The township received the 12 points that is required stormwater education for the Tier B permit with assistance from the Knowlton Township Elementary School via virtual presentation.

**Speed Limits for Linaberry Road**-- Attorney Parikh explained as long as the township keeps the speed limit that falls under what has been statutorily assigned, there is no need to do a speed study. **Motion made by Mayor Starrs, second by Committeewoman Cuntala and carried to have Mr. Rodman to define where the delineation is of the two zones. Motion made by Mayor Starrs, second by Committeewoman Cuntala and having DPW put the signs up once the delineation is determined.**

## **CONSENT AGENDA**

### **Resolution 2020-152 – Resolution Approving Consent Agenda**

WHEREAS, Resolutions 2020-153, 2020-154, 2020-155, 2020-156, 2020-157, 2020-158, 2020-159 and 2020-160 are considered routine, non-controversial and require no individual discussion; and,  
WHEREAS, if discussion is required on a consent agenda item, it is removed from the consent agenda and placed on the regular agenda.

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Knowlton that approval is granted for adoption of the consent agenda items.

Motion 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 Consent Agenda, Resolution 2020-152.

The following Eight resolutions are part of the Consent Agenda

**1. 2020-153- Refund Resolution 2018 Overpayment (44 Countryside Rd)**

WHEREAS the property known as Block 44, Lot 39 located at 44 Countryside Road became tax exempt in 2018. The property received Homestead Rebates totaling \$810.86 from a previous year. The rebates are not normally refunded however, since the property remains exempt and there are no future taxes to credit the benefit to and the tax collector is working to resolve older overpayments, he is requesting the rebates be refunded to the homeowner.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of Knowlton Township, County of Warren the Township Committee approves the tax collector's request to refund the Homestead Benefits in the amount of \$810.86. The CFO is hereby authorized and directed to prepare a check payable to Robert Banik in the amount of \$810.86. The check will be returned to the collector for mailing so he can update the tax records.

**2. 2020-154- Refund Resolution 2018 Overpayment (63 Auble Rd)**

WHEREAS the property known as Block 65, Lot 2.18 located at 63 Auble Road went into farmland assessment which reduces the assessment and taxes due. The owner decided to continue to keep the property in farmland assessment, so it is not possible to apply the payment to next year's taxes and the owner has no other lots to apply the overpayment of \$1,113.18. Since the tax collector is working to resolve older overpayments, he is requesting the overpayment be refunded to the homeowner.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of Knowlton Township, County of Warren the Township Committee approves the tax collector's request to refund the 2018 overpayment in the amount of \$1,113.18. The CFO is hereby authorized and directed to prepare a check payable to Marty Krohn in the amount of \$1,113.18. The check will be returned to the collector for mailing so he can update the tax records.

**3. 2020-155- Resolution to Cancel Reconciling Items Greater than 180 Days**

WHEREAS, there are outstanding checks and reconciling items greater than 180 days old in various accounts; and

WHEREAS, it has been determined that checks and reconciling items over 180 days old should be cancelled to the appropriate funds,

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

**4. 2020-156- Resolution Approval of Items of Revenue and Appropriation NJSA 40A:4-87 (Clean Communities)**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Knowlton in the County of Warren, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$12,077.56 which is now available from the Solid Waste Administration – Clean Communities.

BE IT FURTHER RESOLVED that the like sum of \$12,077.56 is hereby Appropriated under the caption Clean Communities; and

BE IT FURTHER RESOLVED that the above is the result of funds from the Solid Waste Administration – Clean Communities in the amount of \$12,026.85.

**5. 2020-157- Authorizing the Transfer of 2019 Funds**

WHEREAS, NJSA 40A:4-58 permits transfers between current year budget appropriations during the first three months of the municipal fiscal year; and;

WHEREAS, there are certain Budget Year 2019 appropriations that require transfers to meet the charges and obligations that will be incurred by the end of this fiscal year.

NOW, THEREFORE, BE IT RESOLVED, that the transfer below is hereby authorized by a 2/3 vote of the full Governing Body

Transfer From:

Legal Services	\$6,725.00
Total:	\$6,725.00

Transfer To:

Planning Board Other Expense	\$6,000.00.
Finance Other Expense	\$ 525.00
Historic Other Expense	\$ 100.00

Emergency Management O/E	\$ 100.00
Total:	\$6,725.00

**6. 2020-158- Authorizing the Transfer of Funds**

WHEREAS, NJSA 40A:4-58 permits transfers between current year budget appropriations during the last two months of the municipal fiscal year; and;

WHEREAS, there are certain Budget Year 2020 appropriations that require transfers to meet the charges and obligations that will be incurred by the end of this fiscal year.

NOW, THEREFORE, BE IT RESOLVED, that the transfer below is hereby authorized by a 2/3 vote of the full Governing Body

Transfer From:

Gas	\$1,500.00
Fuel Oil	\$1,500.00
Municipal Clerk Salary and Wages	\$3,800.00
Total:	\$6,800.00

Transfer To:

Planning Board Other Expense	\$ 300.00
Zoning Board of Adjustment O/E	\$ 500.00
Emergency Management O/E	\$2,500.00
Recreation Other Expense	\$ 500.00
Street Lighting	\$3,000.00

Total:	\$6,800.00
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**7. 2020-159- Resolution Approval of Items of Revenue and Appropriation NJSA 40A:4-87 (Warren County Cultural & Heritage Council Arts Grant)**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Knowlton in the County of Warren, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$2,000.00 which is now available from the Warren County Cultural & Heritage Council Arts Grant.

BE IT FURTHER RESOLVED that the like sum of \$2,000.00.00 is hereby Appropriated under the caption Warren County Cultural & Heritage Council Arts Grant – Fall Open House Festivities; and

BE IT FURTHER RESOLVED that the above is the result of funds from the Warren County Cultural & Heritage Council Arts Grant in the amount of \$2,000.00.

**8. 2020-160- Resolution Approval of Items of Revenue and Appropriation NJSA 40A:4-87 (Warren County Department of Land Preservation CHPP)**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,  
NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Knowlton  
in the County of Warren, New Jersey, hereby requests the Director of the Division of Local Government  
Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of  
\$1,000.00 which is now available from the Warren County Department of Land Preservation.

BE IT FURTHER RESOLVED that the like sum of \$1,000.00 is hereby  
Appropriated under the caption Warren County Department of Land Preservation - CHPP; and  
BE IT FURTHER RESOLVED that the above is the result of funds from the Warren County  
Department of Land Preservation CHPP Grant in the amount of \$1,000.00.

## **RESOLUTIONS**

### **2020-142- Cancel Taxes/ Refund Resolution Veteran Exemption (20 Ivan Rd.)**

WHEREAS, the owner of Block 44, Lot 56 located at 20 Ivan Road applied for total tax exemption due to non-profit 501c3 status. The application was reviewed and approved by the tax assessor effective January 1st. The assessor was unable to update the 2020 tax duplicate to make this property exempt. It is necessary to cancel the 2020 taxes due in the amount of \$14,241.24. The owner's mortgage company paid the February and May taxes in the amount of \$6,867.38. The payments need to be refunded since there is no future taxes to be credited.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of Knowlton Township, County of Warren the Township Committee cancels the 2020 taxes in the amount of \$14,241.24 on the above property and approves the property owner's request to refund the February and May payments in the amount of \$6,867.37 to him since the tax escrow portion of the mortgage has been closed by the bank. The CFO is hereby authorized and directed to prepare a check payable to Robert Dorsett in the amount of \$6867.38. The check will be returned to the collector for mailing, so he can update the tax records.

**Motion made by Mayor Starrs, second by Committeewoman Cuntala and approved by roll call vote: Cuntala—yes, McNinch—yes, Shipp—yes, Van Horn—yes, Starrs—yes, to Resolution 2020-142 changing the first line to read tax exemption due to 501c3 status.**

### **2020-147- Resolution Authorizing Solicitor to Foreclose Certain Properties for Delinquent Taxes in the Township of Knowlton**

WHEREAS, the Tax Assessor and the Tax Collector of the Township of Knowlton have prepared an In Rem Foreclosure List containing a schedule of 4 properties; and

WHEREAS, N.J.S.A. 54:5-104.35 provides in pertinent that the Governing Body may, by resolution, foreclosure 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 these properties 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 schedule as noted below on the In-Rem Foreclosure List, a copy of which is attached hereto and made a part thereof:

BLOCK	LOT	PROPERTY ADDRESS	PROPERTY NAME
55	13	8 Clinton Street	138 Leghorn Real Estate, LLC
5	25	2 Mount Pleasant	WGMM, LLC
76	4	196 Route 46	Costello Family Trust
68	12	27 Ramsaysburg Road	Molinari, Michael and Beverly

**Motion made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve Resolution 2020-147. Discussion took place regarding a possible septic system at 196 Route 46 and to be sold as is.**

**2020-148-Resolution Authorizing the Mayor to Sign a Professional Service Contract with Keith Bonchi, Esq. of GMS Law for in REM Foreclose Services**

WHEREAS, N.J.S.A. 54: 5-104.29 *et seq*, the *In Rem* Tax Foreclosure Act, allows the governing body of a municipality to foreclose on any of the tax sale certificates held by it; and

WHEREAS, municipalities may desire to foreclose *In Rem* for reasons including:

- To compel payment of taxes,
- To remove non-performing properties from tax rolls,
- To increase collection rates to lower reserve for uncollected taxes,
- To control abandoned properties,
- To stabilize the tax base; and

WHEREAS, the Knowlton Township Committee expressed a desire to foreclose on such properties at the October 22, 2020 Township Committee meeting; and

WHEREAS, this action has been recommended by the Township auditor; and

WHEREAS, prior to instituting foreclosure a municipality should pass a resolution appointing counsel to do the *In Rem* foreclosures; and

WHEREAS, Keith Bonchi, Esquire, of GMS Law has presented the Township an offer to provide legal services at a cost of \$ 1,750 to \$1,950 for a minimum of 4 tax sale certificates for properties that do not involve federal liens; and

WHEREAS, GMS Law requests the use of their own title company; and

WHEREAS, the Township Committee wishes to accept this offer.

NOW, THEREFORE, BE IT RESOLVED:

The Mayor of the Township of Knowlton is hereby authorized to execute the attached Professional Services Contract between Knowlton Township and Keith Bonchi, Esquire, of GMS Law.

**Motion made by Committeeman McNinch, second by Mayor Starrs and carried to approve Resolution 2020-148.**

**2020-161-Resolution Authorizing and Supporting Continued Negotiations Regarding A Regional Cable Franchise Agreement-tabled**

**2020-162-Resolution of the Warren County Board of Chosen Freeholders to Reimburse Warren County Local Restaurants and Bars the Sum of Ten Dollars (\$10) as a Result of the Special Fee/Tax Imposed by the New Jersey State Alcoholic Beverage Commission for the Ability to Serve Alcoholic Beverages Outside their Licensed Premise.**

WHEREAS, the Warren County Board of Chosen Freeholders of the County of Warren understand the financial destruction that the COVID19/Pandemic has imposed upon local businesses in the County of Warren; and

WHEREAS, the Warren County Board of Chosen Freeholders have created an Economic Development Advisory Committee to help foster and encourage opportunities for local businesses; and

WHEREAS, the Pandemic and concomitant closure of local restaurants and bars has had a chilling and devastating financial effect upon local business owners and their employees; and

WHEREAS, the New Jersey State Alcoholic Beverage Commission has imposed a ten-dollar (\$10.00) licensing fee and/or additional tax for establishments to extend special ruling 2020-10 permitting establishments to sell alcoholic beverages outside their licensed premises within the guidelines for social distancing and Executive Order 150 imposed by the Governor; and

WHEREAS, this additional fee and/or tax creates an additional burden and hardship to proprietors of establishments which have been closed for ninety (90) or more days; and

WHEREAS, the Warren County Board of Chosen Freeholders on June 10, 2020 passes Resolution 245-20 reimbursing local restaurants for this unnecessary fee/tax imposed by the State of New Jersey under ruling 2020-10;

WHEREAS, this additional fee and/or tax creates an additional burden and hardship to proprietors of establishments which have been closed for ninety (90) or more days; and

WHEREAS, the Warren County Board of Chosen Freeholders understand the concerns of local business owners and are concerned for their economic viability and have determined that available funds to cover this unnecessary excessive fee/tax are available in the account of the Economic Development Advisory Committee; and

WHEREAS, the Warren County Board of Chosen Freeholders will tender payment for this unnecessary fee/tax to the Municipal Clerks of each Warren County municipality for those businesses to serve the public via outdoor dining and consumption of alcohol and in conformance with all Executive Orders from the State.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren in the State of New Jersey as follows:

1. The Warren County Board of Chosen Freeholders will tender payment for all Warren County restaurants whom desire to open under the Governors Executive Order 150 to serve the public alcoholic beverages at outdoor settings the sum of ten dollars (\$10.00) per licensee to offset the fee/tax imposed by the New Jersey Alcoholic Beverage Commission as it has been determined that this fee/tax creates an unnecessary burden on businesses located in the County of Warren.
2. A copy of this duly certified resolution will be served upon Municipal Clerks for each Warren County Municipality who may also adopt a Resolution allowing participation in this program.
3. Annexed to this Resolution is a certificate from the County Treasurer indicating the availability of funds from Account No.011720 5100.



**Motion made by Mayor Starrs, second by Committeewoman Cuntala and approved by roll call vote:  
Roll call: Cuntala--yes, McNinch--yes Shipps--yes, Van Horn--yes Starrs—yes to Resolution 2020-162**

**2020-163-Resolution Affirming Establishment of Shared Municipal Court with Allamuchy Township**

WHEREAS, pursuant to Resolution No. 2020-140 adopted by the Knowlton Township Committee on November 9, 2020, the Knowlton Township entered into a shared services agreement with Allamuchy Township for a shared municipal court; and

WHEREAS, pursuant to a letter dated November 18, 2020 (which is attached hereto as Exhibit A), the Assignment Judge for Warren County, the Honorable Thomas C. Miller, approved said shared services agreement subject to the submission of certain documents; and

WHEREAS, said letter requires that Knowlton Township and Allamuchy Township submit resolutions affirming the establishment and operation of the shared municipal court.

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

SECTION 1. In accordance with the letter dated November 18, 2020 from the Honorable Thomas C. Miller, A.J.S.C. attached hereto as Exhibit A, The Township Committee affirms the establishment and operation of its shared municipal court with Allamuchy Township, which shall commence operations on January 1, 2021 in accordance with the Shared Services Agreement between Knowlton Township and Allamuchy Township approved by the Township on November 9, 2020 pursuant to Resolution No. 2020-140.

SECTION 2. Knowlton Township shall cooperate with Allamuchy Township to provide the documentation requested in the above-referenced letter.

SECTION 3. This resolution shall take effect immediately.

**Motion made by Committeewoman Cuntala, second by Deputy Mayor Shipps and carried to approve Resolution 2020-163.**

**2020-164-Resolution of the Township of Knowlton Re-Authorizing Temporary Procedures to Assist Certain Establishments with Outdoor Dining Permits During the COVID-19 Pandemic**

WHEREAS, Governor Murphy has issued Executive Order No. 150 permitting, in part, the resumption of outdoor dining and beverage sales and consumption with restrictions imposed by the New Jersey Department of Health; and,

WHEREAS, according to Executive Order No. 150, effective at 6:00 a.m. on Monday, June 15, 2020, restaurants, cafeterias, dining establishments, and food courts, with or without a liquor license, bars, and all other holders of a liquor license with retail consumption privileges, collectively referred to as “food or beverage establishments,” are permitted to offer in-person service at outdoor areas; and,

WHEREAS, on June 3, 2020, the State of New Jersey Department of Health has issued Executive Directive No.20-014, which further Ordered and Directed food and/or beverage establishments offering service at outdoor areas pursuant to Executive Order No. 150 to adhere to certain guidelines and protocols; and

WHEREAS, on June 3, 2020, the State of New Jersey, Department of Law and Public Safety/Division of Alcohol Beverage Control (NJABC) issued Special Ruling 2020-10, authorizing a process pursuant to which certain food and beverage establishments may obtain a temporary COVID 19 permit to expand licensed premises through their local municipalities and the NJABC; and

WHEREAS, pursuant to Executive Order 163 issued by Governor Murphy on July 8, 2020, “outdoor dining” was expanded to allow for the construction of tents; and

WHEREAS, pursuant to Executive Order 191 issued by Governor Murphy on October 24, 2020; the State of Emergency and Public Health Emergency have been extended; and

WHEREAS, pursuant to Special Ruling 2020-21 issued on October 19, 2020, the Division of Alcoholic Beverage Control authorized renewal of liquor licenses permitting an expansion of the licensed premises to outdoor dining area through March 2021; and

WHEREAS, on November 25, 2020, the Department of Community Affairs issued guidance on outdoor dining during winter months; and

WHEREAS, such guidance requires dining establishments using outdoor tensioned membrane structures to apply for a UCC permit from their local construction office and to apply for a permit for any electrical equipment, electrical wiring, or mechanical equipment that would otherwise require a permit; and

WHEREAS, such guidance encourages municipalities to waive permit fees for tents that were previously permitted provided that the tents meet the snow bearing requirements issued by the Department of Community Affairs; and

WHEREAS such guidance also requires that “operational items” such as portable cooking equipment, heaters, and similar items used around and/or under the tent should be maintained in accordance with the Uniform Fire Code (UFC) and addressed by the local fire official; and

WHEREAS, pursuant to Resolution No. 2020-74 the Township permitted outdoor dining and waived any associated permit fees; and

WHEREAS, the Township is desirous to continue to assist restaurant businesses during the COVID-19 pandemic and emergency by establishing an expedited process for the temporary expansion of the space available for outdoor dining in compliance with Executive Order No. 150, State of New Jersey Department of Health, Executive Directive No.20-014 and Division of Alcoholic Beverage Control Special Rulings 2020-10 and 21;

NOW, THEREFORE, BE IT RESOLVED that, in light of the above-referenced Executive Orders, Special Ruling, and DCA guidance specifically allowing for the continuation of outdoor dining through the winter months, the Township of Knowlton hereby temporarily waives any regular procedures for land use permits for outdoor dining expansion by permitting businesses to submit an expedited Outdoor Dining Permit application and plan (Expedited Application and Plan) through March 31, 2021, including the potential expansion of such dining onto sidewalks and parking lots, to the Township appropriate Code official for review; and,

BE IT FURTHER RESOLVED, that previously-issued outdoor dining permits and permits for tents and / or outdoor equipment shall remain valid through March 31, 2021; and

BE IT FURTHER RESOLVED, any dining establishment that holds an outdoor dining permit and does not have any permits for tents and / or other outdoor equipment shall make the appropriate applications no later than January 15, 2021; and

BE IT FURTHER RESOLVED, the appropriate Code Official, in consultation with the Fire Code Official, Subcode Official, local Police Department and the Board of Health and any other official deemed necessary, shall review such Application and Plan on an expedited basis, pending necessary NJABC permit or extension, if applicable and shall work with such business to reach accommodations to assist such businesses with obtaining an Outdoor Dining Permit and / or a permit for a tent or other outdoor equipment from the Township, keeping in mind that the safety and health of the public shall be of the utmost importance; and,

BE IT FURTHER RESOLVED, that once the appropriate Code Official, in consultation with the other

aforementioned Township officials, is satisfied that the business has demonstrated that their outdoor seating plan is safe for customers, staff and the general public, she/he shall issue such Outdoor dining permit; and

BE IT FURTHER RESOLVED, that the fees associated with such Outdoor Dining Permit shall be waived for the year 2021 to assist such businesses during the COVID-19 pandemic and

BE IT FURTHER RESOLVED that all approvals granted pursuant to this Resolution shall expire on March 31, 2021

**Motion made by Mayor Starrs, second by Committeeman McNinch and carried to approve Resolution 2020-164.**

**2020-165- Resolution of the Township of Knowlton Requesting Approval of the Director of the Division of Local Government Services to Establish a Dedicated Trust by Rider Donations Received to Provide Veterinary and Kennel Services for a Stray Dog Pursuant to N.J.S.A.40A:5-29- Withdrawn**

**Motion 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 withdraw funds from the dog trust to pay the Green Dog Inn which cared for a dog that the township took possession of.**

Discussion arose if the Animal Control officer should be catching livestock. The consensus of the committee was that he should not.

**2020-166- Resolution Amending the I-80 “S Curves” Problem Statement Submitted to NJDOT**

WHEREAS, the curvy section of federal highway I-80 between mile post 0.0 and 1.5 in Knowlton and Hardwick Townships, New Jersey, which travels through the Delaware Water Gap, is known locally as the S Curves; and WHEREAS, this portion of highway has a 58% higher average accident rate than the state average and has seen regular fatalities due to the road design deficiencies; and

WHEREAS, the Township of Knowlton and Senator Steven Oroho formally asked the New Jersey Department of Transportation to address the deficiencies of this portion of highway in 2012 and no response that request is on record; and

WHEREAS, the Township of Knowlton submitted another request, via problem state, to the NJDOT in July 2020, requesting that the NJDOT examine how the design deficiencies in this portion of highway can be rectified; and WHEREAS, the Township of Knowlton is awaiting a response; and

WHEREAS, the Warren County Board of Freeholders and seven towns have since passed resolutions requesting the “s” curves be addressed including the towns of Hardwick, Delaware Water Gap, Upper Mount Bethel Township, Lower Mount Bethel Township, Portland Borough, Pen Argyl Borough and Plainfield Township; and WHEREAS, there is value in documenting that the need to correct the “s curve” deficiencies is longstanding, well documented, and widely supported across state lines.

NOW, THEREFORE, BE IT RESOLVED, the Township Committee of Knowlton submits the attached letters from 2012 as well as supporting resolutions from 8 governing bodies, asking the New Jersey Department of Transportation to “fix the S curves.”

NOW, BE IT FURTHER RESOLVED, that a copy of this resolution be provided to both the NJ Division of the Federal Highway Administration and National Administrator of the Federal Highway Administration, along with the original Problem Statement submitted in July 2020.

**Motion made by Mayor Starrs, second by Committeeman McNinch and carried to approve Resolution 2020-166.**

**2020-167 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 made by Committeewoman Cuntala, second By Committee McNinch and approved by roll call vote: Cuntala—yes, McNinch—yes, Shipps—yes, Van Horn—yes, Starrs—yes, Resolution 2020-167.**

**OLD BUSINESS**

**Updated Job Description for Recreation Supervisor--**Motion made by Committeewoman Cuntala, second by Deputy Mayor Shipps and carried to approve the updated Job Description for Recreation Supervisor.

**Quote for New Server--**Clerk Shipps explained that our server has not been backing up our daily and there is a need for a new server since the old one is outdated.

**Motion made by Committeewoman Cuntala, second by Deputy Shipps and approved by roll call vote: Cuntala—yes, McNinch—yes, Shipps—yes, Van Horn—yes, Starrs—yes to get a new server for the municipal building.**

**Knowlton Snowplow Driver Rates (Committeeman Van Horn abstained from this discussion)**

Discussion took place regarding the current rate that we are offering for a snow plow driver. Mayor Starrs presented the rates for Hardwick, Hope, and Blairstown. Knowlton’s hourly rate is less than each of them. Deputy Mayor Shipps explained that we are currently short on snow plow drivers. Committeeman Van Horn has offered to help plow.

**Motion made by Mayor Starrs, second by Committeewoman Cuntala and carried to bring Committeeman Van Horn on a temporary basis until such time as a permanent replacement can be found. Motion made by Mayor Starrs, second by Committeewoman Cuntala and carried to raise the snow plow hourly rate to \$20 per hour.**

**Grant to Update Open Space Plan--**Land Conservancy has offered to prepare a grant application for an open space and recreation plan for Knowlton and Harmony township. There is no direct cost to the Township or matching funds required.

Motion made by Mayor Starrs, second by Committeeman McNinch and carried to have Mayor Starrs sign a letter of support for Open Space grant application.

**Municipal Building Renovations Quotes--**Deputy Clerk Apgar reached out to a few contractors and received bids back from two.

Mayor Starrs brought to everyone’s attention that since 2014 repairs rates for the municipal building due to leaks and water issues. Total repair cost is \$34,250.00, which does not include the purchase of the heater, and asked

the committee to think about what the long-term plan is for the municipal building.

Motion made by Mayor Starrs, second by Committeewoman Cuntala and approved by roll call vote: Cuntala—yes, McNinch—abstain, Shipps—yes, Van Horn—abstain, Starrs-yes, to except the bid from Boyd Contracting for \$4,204.00.

**Approval of Level 2 Assessment/ NJDEP fine**--Mayor Starrs provided an update regarding the Tunnel Field new water system. NJDEP fined the township for not filing the proper documents which included advertising in the newspaper which has now has been done. Also required was Level 2 assessment which also has been done at no cost to the township. Township is currently waiting to see if the township is required to submit a ground water assessment plan.

Motion made by Mayor Starrs, second by Committeewoman Cuntala and carried to have Mayor Starrs sign the Level 2 assessment.

**COVID-19 Grant Update**--Committeeman McNinch was advised by Clerk Shipps that thousands of N95 masks were purchased through the grant and he would like them to be distributed to seniors once they are received.

**Farmland Preservation Updates**--Committeeman McNinch provided an update on the three Farms that are currently in the process of being preserved. Brook Hollow farm needs revision to NJDOT comments along Route 95. Revision work is in the process, and the surveyor is asking to be reimbursed \$600 for putting in additional monuments.

Motion 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 reimburse the surveyor \$600.

**Ramsaysburg Grant Updates**--Committeeman McNinch provided an update regarding the three grants for Ramsaysburg Restoration. Warren County Grant will be expiring at the end of 2021. Committeeman McNinch has not had any updates on the NJ State Grant for some time.

Committeeman McNinch explained to the committee that the Federal Grant that the policies and procedures manual needs to be updated for the 3<sup>rd</sup> time and needs committee approval to be submitted.

Motion made by Committeeman McNinch, second by Committeeman Van Horn and carried for revision 3 of the Policies and Procedures for Ramsayburg Grant dated, December 10, 2020.

**Court Closures**--Committeewoman Cuntala and Clerk Shipps have agreed to come in and box up all the court documents for the township to pick up by December 31, 2020.

## **NEW BUSINESS**

**Reorganization Meeting Date /2021 Meeting Dates**--Monday January 4' 2021 at 7 pm will be the Reorganization meeting. Committee agreed on the 2021 Meeting dates.

**Municipal Office Space 2021**--Committee agreed to have the Zoning officer Eric Snyder take the office where the court employees were and Alfia Schemm will take the office where the judge's chambers were.

**Tilcon Penalty Linaberry Rd.**--Discussed during Department reports

**Monthly Department Reports**--Deputy Mayor Shipps requested that all departments start submitting monthly reports. Committee agreed to look at the sample report that Deputy Mayor Shipps will forward to everyone and revisit the topic at a later meeting.

**CORRESPONDENCE**

**MEETING MINUTES**

**September 24, 2020 Executive Session Meeting Minutes-- Tabled until a later meeting.**

**September 24, 2020 Public Session Meeting Minute**-Motion made Deputy Mayor Shipps, second by Committeeman McNinch and carried to approve the September 24, 2020 Public Session Meeting Minutes

**October 22, 2020 Executive Session Meeting Minutes**--Motion made by Committeewoman Cuntala, second by Committeeman McNinch and carried to approve October 22, 2020 Executive Session Meeting Minutes.

**October 22, 2020 Public Session Meeting Minutes**

Motion made by Deputy Mayor Shipps, second by Committeewoman Cuntala and carried to approve October 22, 2020 Public Session Meeting Minutes.

**PUBLIC COMMENT** --No public comments

**EXECUTIVE SESSION**

**Motion made by Mayor Starrs, Second by Committeewoman Cuntala and carried to approve to go into Executive Session at 10:14 pm**

**2020-168 Resolution Authorizing 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.

**Motion made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve to come out of Executive Session at 10:44 pm.**

**ADJOURNMENT**

**Motion made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve to adjourn tonight's meeting at 10:45 p.m.**