

**MINUTES OF KNOWLTON TOWNSHIP
WARREN COUNTY, NEW JERSEY
PUBLIC MEETING MINUTES
February 12, 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 7:02 p.m. by Mayor Starrs.

Mayor Starrs led the public in the Pledge of Allegiance.

Mayor Starrs read the following statement: "This is a meeting of the Knowlton Township Committee. Adequate notice of this meeting has been provided in accordance with the Open Public Meetings Act by publishing notice of all regularly scheduled meetings in the Star Gazette and/or Express Times as well as providing said schedule in the Municipal Clerk's office."

Roll Call

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

Also present was Attorney Leslie Parikh, Township Engineer Ted Rodman and DPW Supervisor Brian Peck

EXECUTIVE SESSION

Motion to go into Executive Session: Mayor Starrs, seconded by Committeewoman Cuntala and carried by an all-in-favor at 7:01pm

Resolution 2018-37 Authorizing an Executive Session for the Purpose of:

- A. Litigation
- B. Contract Negotiation/Possible Litigation/Advice of Attorney
- C. Personnel

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. Litigation

- B. Contract Negotiation/Possible Litigation/Advice of Attorney
- C. Personnel

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, seconded by Deputy Mayor Cuntala and approved by an all-in-favor vote to come out of Executive Session at 8:10 p.m. and return to Regular Session.

PUBLIC COMMENT

Resident Donna Diorio is concerned about speeding on Washington St. Mayor Starrs explained that over a year ago the township asked NJ Department of Transportation (NJDOT) to come and do a study on Washington St. since the street is state owned. NJDOT recommended speed humps, so Township Engineer Ted Rodman sent a problem statement to NJDOT. NJDOT response was that they don't recommend speed humps and this point Mayor Starrs does not know what to do. State Police will not come and set up any speed traps. Committeeman Van Horn will speak further with NJDOT.

Resident Fred Kessler introduced himself to the committee. He is the process of open an Edward Jones Financial center somewhere in between Belvidere and Frelinghuysen. Mr. Kessler has applied for a peddler's permit to go door-to-door to introduce himself.

Resident Jeff Milesky provided the committee with information that he researched regarding grease traps.

PRESENTATION--Nature Conservancy: Paulinskill Restoration/Dam Removal

Beth Styler Barry from the Nature Conservancy showed a Powerpoint presentation on how the Columbia Dam will be taken down and what will happen on a daily basis. Ms. Barry explained the timeline for the removal starting around June 1, 2018 when equipment will start to arrive at the sight. Around June 15th - June 30th a smaller dam will be removed. Around July 1st is when the Columbia Dam will start to be removed. This is also weather permitting.

Motion was made Mayor Starrs, second by Deputy Mayor Cuntala and approved with a all-in-favor to approve the draft letter that Committeeman McNinch to send to the NJDEP adding adequate signage to the list.

DEPARTMENT REPORTS

Engineer Ted Rodman

Hemlock Rd. does need work eventually. Mr. Rodman believes that NJDEP will need to be involved. A lot of research needs to be done to stabilize the bank along Hemlock. Rd and the road would need to be reconstructed within the next few years. Engineer Rodman will work on an estimate for long-term fixes. DPW Supervisor Brain Peck will get some quotes on shoring it up temporarily.

DPW Supervisor Brian Peck

Mr. Peck addressed the committee about the DPW getting back to focusing on the maintenance of the township. Tree trimming, roadside mowing, residents complaints— it will still take them almost a year just to get back on schedule.

Countryside Rd. —Mr. Peck said that the school bus sign was put up. Mayor Starrs asked about the blind driveway sign. Mr. Peck explained that the neighbor as an evergreen which is blocking the line of sight.

Motion was made by Mayor Starrs, second by Deputy Mayor Cuntala and approved by an all-in favor to send out a notice to the resident on Countryside Rd informing them that there will be tree trimming done to the evergreen that is the township’s right away.

Shotwell/Ivan tree—This tree is overhanging the road and will be removed soon.

Resolution 2018-38 Resolution Approving Consent Agenda

WHEREAS, Resolutions 2018-39 2018-40, 2018-41 ,2018-42, 2018-43, 2018-45, 2018-46, 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 was made by Mayor Starrs, seconded by Deputy Mayor Cuntala and approved by an all-in-favor resolution 2018-38

2018-39-Resolution Approving the Issuance of Raffle Licenses #18-01 to Knowlton Township Lions Club to Conduct 50/50 Raffle on July 14, 2018

WHEREAS, the Knowlton Township Lions Club has applied for raffles licenses to conduct raffles on July 14, 2018 at Lions Field on Route 46, Delaware, NJ consisting of New Jersey Legalized Games of Chance Control Commission applications #18-01; and,

WHEREAS, the proper fees have been filed with the application, and the Findings and Determinations by the Municipal Clerk have determined that this organization is qualified to conduct raffles;

THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, Warren County, New Jersey, that approval is hereby given for the issuance of raffle license #18-01 to The Knowlton Township Lions Club.

2018-40-Resolution Approving the Issuance of Raffle Licenses #18-02 to Knowlton Township Lions Club to Conduct 50/50 Raffle on July 14, 2018

WHEREAS, the Knowlton Township Lions Club has applied for raffles licenses to conduct raffles on July 14, 2018 at Lions Field on Route 46, Delaware, NJ consisting of New Jersey Legalized Games of Chance Control Commission applications #18-02; and,

WHEREAS, the proper fees have been filed with the application, and the Findings and Determinations by the Municipal Clerk have determined that this organization is qualified to conduct raffles;

THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, Warren County, New Jersey, that approval is hereby given for the issuance of raffle license #18-02 to The Knowlton Township Lions Club.

2018-41 Resolution Approving the Issuance of Raffle Licenses #18-03 to Knowlton Township Lions Club to Conduct 50/50 Raffle on July 14, 2018

WHEREAS, the Knowlton Township Lions Club has applied for raffles licenses to conduct raffles on July 14, 2018 at Lions Field on Route 46, Delaware, NJ consisting of New Jersey Legalized Games of Chance Control Commission applications #18-03; and,

WHEREAS, the proper fees have been filed with the application, and the Findings and Determinations by the Municipal Clerk have determined that this organization is qualified to conduct raffles;

THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, Warren County, New Jersey, that approval is hereby given for the issuance of raffle license #18-03 to The Knowlton Township Lions Club.

2018-42 Resolution Approving the Issuance of Raffle Licenses #18-04 to Knowlton Township Lions Club to Conduct 50/50 Raffle on July 14, 2018

WHEREAS, the Knowlton Township Lions Club has applied for raffles licenses to conduct raffles on July 14, 2018 at Lions Field on Route 46, Delaware, NJ consisting of New Jersey Legalized Games of Chance Control Commission applications #18-04; and,

WHEREAS, the proper fees have been filed with the application, and the Findings and Determinations by the Municipal Clerk have determined that this organization is qualified to conduct raffles;

THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, Warren County, New Jersey, that approval is hereby given for the issuance of raffle license #18-04 to The Knowlton Township Lions Club.

2018-43 Resolution Approving the Issuance of Raffle Licenses #18-05 to Knowlton Township Lions Club to Conduct 50/50 Raffle on July 14, 2018

WHEREAS, the Knowlton Township Lions Club has applied for raffles licenses to conduct raffles on July 14, 2018 at Lions Field on Route 46, Delaware, NJ consisting of New Jersey Legalized Games of Chance Control Commission applications #18-05; and,

WHEREAS, the proper fees have been filed with the application, and the Findings and Determinations by the Municipal Clerk have determined that this organization is qualified to conduct raffles;

THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, Warren County, New Jersey, that approval is hereby given for the issuance of raffle license #18-05 to The Knowlton Township Lions Club.

2018-44 Resolution Approving the Issuance of Raffle Licenses #18-06 to Knowlton Township Lions Club to Conduct 50/50 Raffle on July 14, 2018

WHEREAS, the Knowlton Township Lions Club has applied for raffles licenses to conduct raffles on July 14, 2018 at Lions Field on Route 46, Delaware, NJ consisting of New Jersey Legalized Games of Chance Control Commission applications #18-06; and,

WHEREAS, the proper fees have been filed with the application, and the Findings and Determinations by the Municipal Clerk have determined that this organization is qualified to conduct raffles;

THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, Warren County, New Jersey, that approval is hereby given for the issuance of raffle license #18-06 to The Knowlton Township Lions Club.

2018-45 Resolution Approving the Issuance of Raffle Licenses #18-07 to Knowlton Township Lions Club to Conduct 50/50 Raffle on July 14, 2018

WHEREAS, the Knowlton Township Lions Club has applied for raffles licenses to conduct raffles on July 14, 2018 at Lions Field on Route 46, Delaware, NJ consisting of New Jersey Legalized Games of Chance Control Commission applications #18-07; and,

WHEREAS, the proper fees have been filed with the application, and the Findings and Determinations by the Municipal Clerk have determined that this organization is qualified to conduct raffles;

THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, Warren County, New Jersey, that approval is hereby given for the issuance of raffle license #18-07 to The Knowlton Township Lions Club.

2018-46 Resolution Approving the Issuance of Raffle Licenses #18-08 to Knowlton Township Lions Club to Conduct 50/50 Raffle on October 27, 2018

WHEREAS, the Knowlton Township Lions Club has applied for raffles licenses to conduct raffles on October 27, 2018 at Knowlton Lions Club Pavilion Route 46, Delaware, NJ consisting of New Jersey Legalized Games of Chance Control Commission applications #18-08; and,

WHEREAS, the proper fees have been filed with the application, and the Findings and Determinations by the Municipal Clerk have determined that this organization is qualified to conduct raffles;

THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, Warren County, New Jersey, that approval is hereby given for the issuance of raffle license #18-08 to The Knowlton Township Lions Club.

RESOLUTIONS

2018-47 - Resolution Approving the Issuance of Raffle Licenses #18-09 to Fredon Educational Foundation to Conduct 50/50 Raffle on March 24, 2018

WHEREAS, the Fredon Educational Foundation has applied for raffles licenses to conduct raffles on March 24, 2018 at Brook Hollow Winery, 594 Route 94, Columbia, NJ consisting of New Jersey Legalized Games of Chance Control Commission applications #18-09; and,

WHEREAS, the proper fees have been filed with the application, and the Findings and Determinations by the Municipal Clerk have determined that this organization is qualified to conduct raffles;

THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, Warren County, New Jersey, that approval is hereby given for the issuance of raffle license #18-09 to Fredon Educational Foundation.

Motion was made by Deputy Mayor Cuntala, seconded by Committeewoman Shipps and approved by a all-in- favor vote Resolution 2018-47.

2018-48 - Authorizing the Insertion of Draft Executive Session Minutes Dated July 12, 2010 and May 23, 2013 into the Official Record

WHEREAS, a review conducted in 2016 showed that executive session minutes were omitted from Knowlton's records; and

WHEREAS, a review of the public meeting minutes from that period indicates that these executive session minutes were not previously presented to the Township Committee for approval; and

WHEREAS, draft minutes of the executive sessions that occurred on July 12, 2010 and May 23, 2013 have been located on the Knowlton Township server by the acting clerk while responding to an OPRA request;

WHEREAS, the current Township Committee is unable to testify to the accuracy of these minutes since a majority of the members from 2010 and 2013 are no longer in office but would like to include them in the official records in the interest of having as complete an official record as possible.

NOW, THEREFORE, BE IT SOLVED, that the Township Committee authorizes the Acting Clerk to reinsert these draft executive session minutes into the official record books.

Motion was made by Deputy Mayor Cuntala, seconded by Mayor Starrs and approved by an all-in-favor vote for Resolution 2018-48. Committeeman Van Horn abstained from the vote.

2018-49 - Resolution Rescinding Resolution 02-81 Regarding Post -Retirement Health Benefits for Certain Employees

WHEREAS, on July 25, 2002 the Knowlton Township Committee (the "Committee") adopted Resolution 02-81 providing "Chapter 48" retiree health benefits to employees of the Township's Department of Public Works after twenty (20) years of service as more fully set forth in such resolution, which is attached hereto; and

WHEREAS, the Committee has determined that it is in the best interests of the taxpayers of the Township that such resolution be rescinded to the extent permitted by law, including N.J.S.A. 52:14-1.38(c) and N.J.A.C. 17:9-5.4(e); and

WHEREAS, such rescission and revocation of post-retirement benefits shall only be effective as to Township of Knowlton Public Works Department employees that, as of January 1, 2018, have *not* attained twenty (20) years of service; and

WHEREAS, it is the Committee's understanding that there are no current Township of Knowlton Public Works Department employees that have attained twenty (20) years of service as of January 1, 2018; and

WHEREAS, the Township currently provides benefits to two former Township of Knowlton Public Works Department employees pursuant to Resolution 02-81 at a cost of \$2,257.80 per month, and the benefits of those employees shall not be affected by this rescission and revocation.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of Knowlton:

1. Hereby rescinds Resolution 02-81 providing "Chapter 48" retiree health benefits to certain employees to the extent permitted by law, including N.J.S.A. 52:14-1.38(c) and N.J.A.C. 17:9-5.4(e) as applied to any Township of Knowlton Public Works Department employees that have no attained twenty (20) years of service as of January 1, 2018; and
2. Acknowledges that Resolution 02-81 remains in full force and effect as applied to any Township of Knowlton Public Works Department employees that are currently receiving benefits pursuant to resolution 02-81 or have attained twenty (20) years of service with the Township of Knowlton Public Works Department as of January 1, 2018.

Date: February 12, 2018

Mayor Starrs said this resolution had been discussed with the affected employees in Executive Session and that health insurance did not cost what it does today when the Committee first started this benefit.

Motion was made by Deputy Mayor Cuntala, seconded by Committeewoman Shipps and approved by a roll call vote: Cuntala—yes, McNinch—yes, Shipps—yes, Van Horn—yes, Starrs—yes Resolution 2018-49.

2018-50 - Resolution Authorizing the Hire of Two Snowplow Drivers

WHEREAS, the Township of Knowlton desires to add to its roster of snowplow drivers since all drivers are not available in all storms and turnover in this position is high; and

WHEREAS, the number of snowplow drivers used by Knowlton in each storm is not anticipated to change; and

WHEREAS, the Township Committee authorized advertising for snowplow drivers at the Township Committee meeting on November 13, 2017; and

WHEREAS, advertisements were posted on the Knowlton Township website from Nov. 14, 2018 to February 7, 2018 and ran in the *Treasure Hunt* classified newspaper for a total of 5 weeks; and

WHEREAS, the Township of Knowlton has received applications from two qualified persons; and

WHEREAS, the Township's Department of Public Works Supervisor has interviewed these persons and recommended their hire.

NOW, THEREFORE, BE IT RESOLVED, the Township Committee of Knowlton authorizes the hire of Rich Boyer and John Krieger at a rate of \$17/hour as snowplow drivers for Knowlton Township.

Motion was made by Deputy Mayor Cuntala, second by Committeewoman Shipps and approved by a roll call vote: Shipps—yes, Cuntala—yes, McNinch— yes, Van Horn—yes, Starrs—yes to Resolution 2018-50.

2018-51 - Resolution to Allocate Salary for Wastewater Collector

WHEREAS, the Planning Board and Board of Adjustment Secretary is also serving as the Wastewater Utility Collector; and

WHEREAS, the Township of Knowlton would like to allocate \$7,687.20 of this Salary and Wages to the Wastewater Utility Fund; and

WHEREAS, the Mayor and Committee deem this to be a fair and accurate amount.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, County of Warren, and State of New Jersey that \$7,687.20 be allocated.

Mayor Starrs explained this does not change the secretary's salary, it means that part of her salary can be counted toward wastewater administrative costs.

Motion was made by Deputy Mayor Cuntala, second by Mayor Starrs and approved by a roll call vote: Shipps—yes, Cuntala—yes, McNinch— yes, Van Horn— yes, Starrs—yes Resolution 2018-51.

2018-52 - 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 Deputy Mayor Cuntala and approved by a roll call vote: Cuntala—yes, McNinch—yes, Shipps—yes, Van Horn—yes, Starrs—yes to Resolution 2018-52.

Mayor Starrs asked Mr. Peck how the calcium chloride is being applied. Mr. Peck explained that it is being sprayed.

OLD BUSINESS

Legality of Instant Polls

Attorney Parikh explain that instant polls are legal at a township. Attorney Parikh explained it's more a policy decision. Mayor Starrs explained that at the last township meeting the committee agreed that they will not be putting an instant poll on the website for many reasons like that the township will have no control on who will be voting.

Warren County Governing Officials Association Dues

Motion was made by Mayor Starrs, seconded by Deputy Mayor Cuntala and approved by roll call vote: Cuntala—yes, McNinch—yes, Shipps—yes, Van Horn—yes, Starrs—yes to pay the Warren County Governing Officials Association Dues of \$300.00

LED Streetlights

Mayor Starrs did some research and found a JCP&L program that would save the township approximately \$2,100 that would involve replacing the current streetlight bulbs with LED bulbs. The LEDs are much brighter and white, which some residents may not like to have shining through their windows.

The township can do a pilot test with just 12 lights out of the 76 lights in the township at one time. JCP&L recommends doing a strip of LED lights. Valley St. has the most lights right in the row. If the Township replaces the lights on Route 46 or 94, the Township would have to pay for traffic escort while the lights were changed, so this would be an extra cost.

Committee agreed to get some input from residents.

Draft Letter to NJDEP- discussed during Presentation

NEW BUSINESS

Senate Bill 3233-Modifying Performance and Maintenance Guarantee Requirements

Committee discussed new bill passed by the State legislature. Mayor Starrs to forward to Planning Board Secretary Alfia Schemm and Clayton Taylor for consideration by Planning Board.

General Code- estimate

Acting Clerk Shipps provided an estimate to have 4 ordinances codified into the General Code book. Committee agreed to wait until at least another year due to cost.

CORRESPONDENCE

Knowlton Township has been accepted into the GSA which is the Government Surplus program. DPW Supervisor Brian Peck is the Township's official contact and will have access to the online inventory.

APPROVAL OF MINUTES

January 12, 2018 Public Meeting Minutes

Motion was made by Deputy Mayor Cuntala, seconded by Committeewoman Shipps and approved with an all-in-favor for the January 12, 2018 Public Meeting Minutes. Committeeman McNinch abstained.

PUBLIC COMMENT

Resident Pam Rusweiler wanted to thank the committee on working together with the Energy Aggregation program. She sees a lot of savings on her electric bill.

Resident Emma Rainforth asked if there is an expiration on this program. Mayor Starrs said that the contract is up in November of this year. There will be a new auction for all the participating townships at that time and if JCP&L is the lowest rate then residents will be pushed out of the program in order to receive that rate. There could be a different third party billing deepening on who has the lowest rate.

EXECUTIVE SESSION -- may be held at the end of the meeting

Motion to go into Executive Session: Mayor Starrs, seconded by Committeewoman Cuntala and carried by an all-in-favor at 9:45pm

Resolution 2018-33 Authorizing an Executive Session for the Purpose of:

- D. Litigation
- E. Contract Negotiation/Possible Litigation/Advice of Attorney
- F. Personnel

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:

- D. Litigation
- E. Contract Negotiation/Possible Litigation/Advice of Attorney
- F. Personnel

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, seconded by Deputy Mayor Cuntala and approved by an all-in-favor vote to come out of Executive Session at 10:32 p.m. and return to Regular Session.

ADJOURNMENT

Motion was made by Mayor Starrs, seconded by Deputy Mayor Cuntala, and carried to adjourn tonight's Township meeting at 10:33 p.m.

Respectfully submitted,

Kristin Shipps
Acting Municipal Clerk