

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

The monthly meeting of the Knowlton Township Committee was held on this date at the Municipal Building, 628 Route 94, Columbia, New Jersey. This meeting was called to order at 7:01 p.m. by Mayor Starrs.

Mayor Starrs led the public in the Pledge of Allegiance.

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

Roll Call

Present: Committeewoman Cuntala, Committeeman McNinch, Deputy Mayor Shipps (arrived at 7:05), Committeeman Van Horn, and Mayor Starrs

Also present was Township Engineer Ted Rodman and Attorney Tara St. Angelo from Gebhardt & Kiefer.

EXECUTIVE SESSION

Motion was made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve to go into Executive Session at 7:02 p.m.

Resolution 2019-115 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. Potential Litigation

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

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

Motion was made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve to return to Public Session at 7:15 p.m.

PRESENTATION

Terry Urfer—Grown in Warren County Program

Mr. Urfer told the committee that the County was able to get a grant for \$30,000, for a study used to help farmers in Warren County. One of the ideas was to create branding with a logo called “Warren County Grown.” Mr. Urfer explained how farmers can apply to become part of this program. Mr. Urfer made suggestions on how to get the word out to the local farmers and also provided the Committee with a banner. Mr. Urfer suggested towns can join the NJ Farm Bureau, which he said lobbies for farmers in Trenton. Committeeman McNinch asked the Knowlton Committee to consider this. Mayor Starrs said she would like to review what was presented to them and discuss at a later meeting.

PUBLIC COMMENT

Resident Keith Stouch— asked when the tax bills will be mailed. Mayor Starrs explained there is a delay on the tax bills going out but has kept the residents updated through notices posted on the township website and Nixle, which are then reposted on social media.

Mr. Stouch also said that he is having power issues at his residency that are effecting his pool and was wondering if there were any other complaints. Mayor Starrs said that she has not heard of anything.

Resident and former mayor Dick Wenner asked for an update regarding Hemlock Rd. Mayor Starrs explained that the trees overhanging the road have been taken care of. Contract to replace the catch basins has been awarded and they are due to be replaced by August 15. Paving will follow once that is complete. Mr. Wenner explained that the road is eroded and it is a safety issue.

Motion was made by Mayor Starrs, second by Committeewomen Cuntala and carried to approve to have Township Engineer Ted Rodman and the Township office of Emergency Management to do an immediate assessment of Hemlock Rd and authorize its closure if necessary.

Resident Jeff Milesky explained to the committee that he received a stop work order from the Warren County Soil Conservation District. Mr. Milesky explained that he spoke with the Zoning officer and the Zoning officer needed Mr. Milesky to provide him documents regarding the flood plain. Mr. Milesky has not yet provided the documents to the Zoning officer which Mayor Starrs suggest that they do before there is any further discussion.

Resident Brad Day explained an ongoing problem regarding a reservoir located near Ann Street. Mayor Starrs explained that because of a prior letter Mr. Day had sent that mentioned his filing a possible law suit, she will not comment on the matter and asked for Attorney St. Angelo to comment. Attorney St. Angelo explained that she needs to look into this matter some more but from what she does see there is no obligation that township has to maintain the reservoir. Records show the property is owned by "unknown persons." She said the Township is not permitted to take action on a property that they do not own. Attorney St. Angelo explained to Mr. Day that the law firm will respond in writing.

Department Reports

Township Engineer Ted Rodman

Still no response for problem statement from Simpson Road regarding the stop sign coming on to Route 80. Mr. Rodman stated that DPW Supervisor Brian Peck put up all the No Parking signs along Simpson Rd.

NJDOT structural department came back with a report regarding Bruglar Rd. Bridge and that there is no weight limit for that bridge.

2019 State Aid Stark Rd preconstruction meeting was held on the July 23rd. Paving is scheduled to start on the August 19th weather permitting. Kill/Station Road also scheduled paving for the week of August 19th weather permitting.

Drainage problem on Frog Pond Rd. Mr. Rodman met with resident who has issues with drainage going down his driveway. Mr. Rodman assessed the damage and gave him information on what he can do for his driveway. Mr. Rodman told resident that when it rains again that he will go up to see where the water is coming from and also speak with DPW Supervisor Brain Peck.

Mayor Starrs read a complaint that she received from a resident who lives on Frog Pond Rd and how they were almost broadsided by a car coming up a no-name section of road that intersects with Frog Pond and Route 94. Committee agreed to have Mr. Rodman submit a problem statement to NJDOT regarding that road, which creates a "y" intersection at Frog Pond and Route 94.

Mr. Rodman updated the committee regarding an issue on 1 Charles St. Municipal Clerk Shipps advised the committee that there was a zoning complaint against that property. Committee agreed to have Zoning Officer Eric Snyder look into the matter.

Motion was made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve to have Zoning Officer Eric Snyder copy the committee on all correspondence.

130 Polkville Rd. there is a big drop off from the pavement to the driveway. Mr. Rodman will speak to DPW Brian Peck regarding this matter.

Knowlton Tunnel field water system permit have been sent to NJDEP.

Sight Easement on Woodruff & Stark— DPW can not get the mower behind a resident’s mailbox. Mayor Starrs has been receiving emails from resident on Woodruff who cannot see when making a left turn onto Stark. Motion was made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve to have Mr. Rodman send a letter along with a copy of the sight easement to have the resident move their mailbox.

RESOLUTIONS

2019-107- Resolution of the Knowlton Township Committee Authorizing An Application of the Knowlton Township Municipal Alliance for Funding for the 2019/2020 Calendar Year

WHEREAS, the Knowlton Township Municipal Alliance Committee was established on January 1, 2000 in compliance with the Governor's “Blueprint for a Drug Free New Jersey”; and,

WHEREAS, the Alliance has pledged to work toward the accomplishment of the following five goals as directed in the Governor's “Blueprint”:

1. Organize and coordinate the efforts of school, police, business groups and other community organizations to fight drug/alcohol abuse.
2. Adopt a K through 12 substance abuse education program in the schools which has been deemed to be comprehensive and effective.
3. Adopt clear procedures for the intervention, treatment and discipline of students abusing alcohol and drugs.
4. Provide a comprehensive drug/alcohol abuse education and out-reach program for parents.
5. Provide a comprehensive substance abuse community-awareness program.

THEREFORE BE IT RESOLVED, that Knowlton Township is eligible for \$3163.00 from the State of New Jersey and must provide \$1,129.00 as a cash match in the 2019 Local Municipal Budget as well as \$2,822.00 for non-budgeted “in-kind” services for the year July 1, 2019 through June 30, 2020.

BE IT FURTHER RESOLVED that the membership of the Municipal Alliance Committee shall include, but not be limited to the president of the Knowlton Township Board of Education, the Knowlton Township Chief School Administrator, a representative of the Parent Teacher Organization, Municipal Court

Judge, representatives of local civic associations, representatives of local religious groups, high school assistance counselors, representatives of the New Jersey State Police, or private citizens.

Motion made by Committeewoman Cuntala, second by Committeeman McNinch and carried to approve Resolution 2019-107.

2019-108-Approval to Submit Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Overlay of Linaberry Rd. Section 1 Project

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

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identifies as MA-2020-Overlay of Linaberry Road Section 1-00705 to the New Jersey Department of Transportation on behalf of Knowlton Township

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Knowlton township and their signature constitutes acceptance of the terms and conditions of the grant agreement an approves the execution of the grant agreement.

Motion made by Committeewoman Cuntala, second by Committeeman McNinch and carried to approve Resolution 2019-108.

2019-109-Resolution Granting Approval on the Purchase of a Development Easement on Stampone/CDEK, LLC Farm, Block 41 Lot 10 in Knowlton Township Consisting of Approximately 31.7 (3%+) Net Acres

WHEREAS, the Warren County Agriculture Development Board has determined that the property known as the Stampone/CDEK, LLC Farm, owned by Edward Stampone and CDEK, LLC located on Block 41 Lot 10 in Knowlton Township, consisting of approximately 31.7 (3%+) net acres, has available for purchase a development easement in accordance with the requirements of the farmland preservation program; and

WHEREAS, the pressures from development have significantly heightened the degree of imminence of change of land use from productive agriculture to nonagricultural uses; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9A(b) on November 20, 2018 it was determined by the State Agriculture Development Committee (SADC) that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17A.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17A.11, on April 26, 2019 the State Agricultural Development Committee has certified a development easement value of \$4,650 per acre based on zoning and environmental regulations in place as of the current valuation date of February 21, 2019 with an estimated total value of \$147,405; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the Owners accepted the County's offer of \$4,650 per acre for the development easement for the Property; and

WHEREAS, the property is part of the approved Warren County Planning Incentive Grant Application and is funded by the Warren County Open Space, Farmland, Recreation and Historic Preservation Trust Fund; and

WHEREAS, the purchase of the development easement on the property would encourage the survivability of production agriculture in Knowlton Township and Warren County, and said property falls within a predetermined County Agricultural Development Area and is in the North Project Area; and

WHEREAS, preliminary approval for the purchase of development rights on this farm has been granted by the State Agricultural Development Committee and the SADC is expected to grant final approval for funding amount on said application at its October 24, 2019 meeting; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on July 25, 2019, the Warren County Agriculture Development Board is expected to approve the funding for the development easement with estimated cost share with no cost share contribution by Knowlton Township as follows: SADC \$101,123.00, Warren County \$46,282.00; and

WHEREAS, the WCADB approval will include the following conditions:

- a. No existing structures on premises
- b. No existing agriculture labor housing on premises
- c. One non-severable exception of 3.5 acres around an existing, but currently uninhabited, single family residence, a barn with additional living area, and other outbuildings
- d. The 3.5 acre non-severable exception area shall be restricted to one single family residential unit and for future flexibility uses
- e. No Residual Dwelling Site Opportunities (RDSO's)
- f. No preexisting non-agricultural uses on premises
- g. Access easements to be determined by title search
- h. No proposed trails
- i. SADC funding from Base grant, competitive round or both
- j. Warren County is requesting SADC funding for a 3% buffer on the final surveyed acreage

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

Motion made by Committeeman McNinch, second by Committeewoman Cuntala and carried to approve Resolution 2019-109. Deputy Mayor Shipps abstained.

2019-110- Resolution of the Knowlton Township Committee Endorsing the Knowlton Township Housing Plan Element and Fair Share Plan

WHEREAS, the Planning Board of Knowlton Township, Warren County, New Jersey, adopted its original Third Round Housing Plan Element and Fair Share Plan of the Master Plan pursuant to N.J.S.A. 40:55D-28.b. (3) In November 2008 and received Third Round Substantive Certification from the Council on Affordable Housing (“COAH”) on October 14, 2009; and

WHEREAS, the Township of Knowlton filed a Declaratory Judgment Action in the Superior Court of New Jersey, Warren 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, the Township engaged in good faith settlement discussions with interested party, Fair Share Housing Center (“FSHC”); and

WHEREAS, said negotiations resulted in a comprehensive Settlement Agreement between the Township and FSHC dated December 5, 2016 (the “Settlement Agreement”); and

WHEREAS, a Fairness Hearing was held on May 9, 2017, at which the Settlement Agreement was approved, and said approval was memorialized by an Order of the same date; and

WHEREAS, since the signing of the Settlement Agreement, the Township has revised its Housing Element and Fair Share Plan, which is attached hereto as Exhibit A; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board held a public hearing on the revised Housing Element and Fair Share Plan on June 25, 2019 and adopted the Housing Element and Fair Share on that same day by Resolution, which is attached hereto as Exhibit B; and

NOW THEREFORE BE IT RESOLVED by the Governing Body of Knowlton Township, Warren County, State of New Jersey:

1. That it hereby endorses the revised Housing Element and Fair Share Plan as adopted by the

Knowlton Township Planning Board; and

2. That notice of this endorsement and a copy of this resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Knowlton Township municipal clerk's office located at 628 Route 94, Columbia, NJ 07832, during the hours of 8:00AM – 4:00PM on Monday through Friday (except for the second and fourth Wednesday of each month) for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.

3. That it authorizes and directs its professionals to file with the Court (i) the revised Housing Element and Fair Share Plan, (ii) the resolutions of the Planning Board adopting and the Township Committee endorsing the revised Housing Element and Fair Share Plan, and (iii) any additional documents the professionals deem necessary or desirable.

4. That it authorizes its professionals to seek Court approval of the revised Housing Element and Fair Share Plan at a properly noticed Compliance Hearing.

5. That it reserves the right to amend the Housing Element and Fair Share Plan, should that be necessary.

Motion made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve Resolution 2019-110.

2019-111-Resolution Authorizing Use of Municipal Property by the Knowlton Fire & Rescue Company #1, Station 41

WHEREAS, Knowlton Township (the "Township") is the owner of certain property located at 41 Route 46 (designated as Block 48, Lot 9 on the Tax Maps of the Township of Knowlton); and

WHEREAS, the above-referenced property were donated to the Township by the County of Warren (the "County"); and

WHEREAS, the above-referenced properties include residential structures that are scheduled to be demolished by the County; and

WHEREAS, the Flood Mitigation Assistance Grant Program ("FMA") provides funding to local communities for projects and planning that reduces or eliminates long-term risk of flood damage to structures insured under the National Flood Insurance Program ("NFIP") and the Federal Emergency

Management Agency (“FEMA”)

WHEREAS, the County was awarded a FMA Grant to acquire the above-referenced property and demolish the associated residential structure; and

WHEREAS, the Township authorized its participation in the FMA Grant opportunity and agreed to acquire by donation the Property pursuant to an Agreement of Donation with the County of Warren; and

WHEREAS, Knowlton Fire and Rescue Company #1, Station 41(the “Fire Company”) has requested to use the above-referenced property and associated residential structure prior to demolition for training that will not involve any live fires; and

WHEREAS, the County, through its Deputy Emergency Management Coordinator, has consented to the Fire Company’s use of the above-referenced properties; and

WHEREAS, the Township has determined that the above-referenced property is not needed for public use prior to demolition and that allowing the Fire Company to use such training is in the best interests of the residents of the Township.

NOW, THEREFORE, be it resolved by the Mayor and Committee of the Township of Knowlton, County of Warren, New Jersey, as follows:

1. The Fire Company shall be permitted to use the following property and associated residential structure for training purposes:
 - a. 41 Route 46 (designated as Block 48, Lot 9 on the Tax Maps of the Township of Knowlton)
2. Such training shall not consist of any live fires.
3. This permission is granted subject to review by the Township’s insurance carrier.

Motion made by Committeewoman Cuntala, second by Committeeman McNinch and carried to approve Resolution 2019-111.

2019-112- Resolution Authorizing the Mayor to Execute the Registered Municipal Clerk Professional Service Agreement

WHEREAS, Kristin Shipps has now completed the required series of courses to train municipal clerks in the duties and responsibilities of their office from The Center for Government Services at Rutgers, The State University of New Jersey; and

WHEREAS, Kristin Shipps passed the examination for the Registered Municipal Clerk (RMC) given by the New Jersey Department of Community Affairs Certification Unit, Division of Local Government Services, and received her RMC certification on April 3, 2019; and

WHEREAS; On June 10, 2019 Kristin Shipps was sworn in as Registered Municipal Clerk of Knowlton Township and;

WHEREAS, the Township Committee of Knowlton discussed the terms of employment at the previous meeting on June 27, 2019; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Committee of the Township of Knowlton, County of Warren, State of New Jersey, do hereby authorize the Mayor to execute the attached Professional Service agreement for the Registered Municipal Clerk.

Motion made by Committeewoman Cuntala, second by Committeeman McNinch and carried to approve by roll call vote: Cuntala--yes, McNinch--yes, Shipps--abstain, Van Horn--yes, Starrs--yes Resolution 2019-112.

2019-113- 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 carried to approve by roll call vote: Cuntala --yes, McNinch--yes, Shipps--yes, Van Horn--yes, Starrs--yes Resolution 2019-113.

OLD BUSINESS

Mold Testing Results

Committee was advised that the Mold testing that was done in the basement came back negative for mold in the air. Mayor Starrs asked Municipal Clerk Shipps to notify Alfia Schemm, the Board of Adjustment/Planning Board Secretary, as well as the Zoning Officer Eric Snyder, who work in the basement, of the results.

Maser Reexamination Master Plan Proposal

Motion was made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve by roll call vote: Cuntala--yes, McNinch--yes, Shipps--yes, Van Horn--yes, Starrs--yes to accept Maser's master plan proposal not to exceed \$11, 000.

Stark & Kill/Station Paving dates changed—Discussed during department reports

Route 80 Rockwall Update

Mayor Starrs explained that there have been some updates. There was letter from Senator Oroho's office requesting that an economic study be done to the impacts on business and commerce for the Route 80 Rockwall project. Mayor Starrs found an attorney who has offered to represent the township regarding the OPRA request that Mayor Starrs sent to NJDOT. Attorney St. Angelo suggested having the attorney put a retainer agreement together. Mayor received a letter from Pennsylvania Senator Mario Scavella asking to get a meeting together to discuss the Rockwall project. Mayor Starrs also found out that the NJDOT is asking the New Jersey Highlands to host an Open house regarding the Route 80 Rockwall. New Jersey Highlands Commission agreed to have the Open House under certain conditions and one of those conditions would that they would have to have a sit down portion to have a question and answer.

NEW BUSINESS

Sight Triangle, corner of Woodruff & Stark—Discussed during Department Reports

Video Testimonial for the Path to Progress

Committee agreed not to take part of Video testimonial for the Path to Progress.

Health Department Violation

Warren County issued a notice of Rat infestation to a local establishment. Township Ordinance gives the owner 10 days in order abate the rats or the township can get involved. If the township has to take care of the matter at the township expense, discussion took place regarding putting a lien on the establishment. Committee authorized a letter to notify of intent to take action if the owner does not abate within 10 days. Committee also agreed to have the Zoning Officer look to see if there are any other violations.

Cost of Living Increase

Committee agreed to a 1% cost-of-living increase for the Knowlton Township Employees.

Mayor Starrs discovered that non-Knowlton teams are using the recreation fields at no cost. Mayor Starrs explained that the ordinance says that fees can only be waived by the Township Committee and expressed concern that the ordinance was being broken and that the Township would be held liable if an accident happened. Committeewoman Cuntala will follow up with Rec Dept.

Community Day is going to be held on September 21st.

CORRESPONDENCE

Mayor Starrs and mayors from the surrounding area will be meeting with Congressman Gottheimer regarding upgrades to Service Electric.

MEETING MINUTES

June 27, 2019 Executive Session Meeting Minutes

Motion made by Committeewoman Cuntala, second by Mayor Starrs and carried to approve June 27, 2019 Executive Session Meeting Minutes.

June 27, 2019 Public Session Meeting Minutes

Motion made by Committeewoman Cuntala, second by Committeeman McNinch and carried to approve June 27, 2019 Executive Session Meeting Minutes.

PUBLIC COMMENT

No public comment

EXECUTIVE SESSION

Motion was made by Mayor Starrs, second by Deputy Mayor Cuntala and carried to approve to go into Executive Session at 9:15 p.m.

Resolution 2019-114 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

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

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

Motion was made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve to return to Public Session at 9:45 p.m.

ADJOURNMENT

Motion was made by Mayor Starrs, second by Committeewoman Cuntala and carried to adjourn tonight's Township meeting at 9:45 p.m.

Respectfully submitted,
Kristin Shipps
Acting Municipal Clerk