

**MINUTES OF KNOWLTON TOWNSHIP
WARREN COUNTY, NEW JERSEY
PUBLIC MEETING MINUTES
May 13, 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 7:00 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, and Mayor Starrs
Also present was Township Engineer Ted Rodman, Township Attorney Richard Cushing

Absent: Committeeman Van Horn

Committeeman McNinch Congratulated Mayor Adele Starrs who was selected by NBC Today Show for a show about about working moms.

PRESENTATION

Jean Paul Reece—Email service

Mr Reece discussed how the township can defend itself against cyberattacks. Mr. Reece explained to look into where the back up is being stored, for example, is it on the cloud, on a disk, how often is there a test for the back up? He recommends exploring different venues that would best fit the municipality's needs and to keep the back up system up to date. Mayor Starrs will follow up with Municipal Software to inquire about our current backup system.

Paul Avery Blairstown Rotary—Blairstown 4th of July Celebration

Motion was made by Mayor Starrs, second by Committeeman McNinch and carried to approve by roll call vote: Cuntala--yes, McNinch--yes, Shipps--yes, Van Horn--absent, Starrs--yes to donate \$1,000.00 for this year's July 4th firework display, which will take place on July 5th.

PUBLIC COMMENT

Resident Pam Rusweiler asked about how the Committee was planning to respond to the DRJTBC's letter regarding the salt issue in the village of Columbia. Mayor Starrs explained that Travel Center of America responded that they will be willing to sit down. DRJTBC stated that they are not willing to sit

down and feels that responsibility for the salt problem is entirely Knowlton Township's. Mayor Starrs volunteered to write a letter to the NJDEP asking them to intervene.

Resident David Murray addressed the committee regarding a complaint that he has had for over a year regarding his neighbor's property. He feels that the Zoning officer is not following through in a timely way regarding ordinances. Mr. Murray mentioned a letter that was sent out by the Zoning officer and was never followed through. Attorney Cushing explained to Mr. Murray that the committee can not comment on a township employee's performance without the employee being Rice Noticed. Attorney Cushing explained that zoning issues must to be heard by the Board of Adjustment, not the Township Committee, and a formal letter should be sent to the township if there is a complaint against the zoning officer to be investigated.

DEPARTMENT REPORTS

Township Engineer Ted Rodman

Hemlock Road— 4 potential bidders picked up specs for the catch basin project. Bids will be opened on May 16th.

Water system at tunnel field—Application needs to be signed to DEP regarding contamination at recreation concession system. A four-log system is being installed to resolve the issue.

Final paperwork has been mailed in for Polkville Rd.

Budget

Mayor Starrs explained that the State has not finished the mandatory examination of the Knowlton Township's Budget so the Committee is not permitted to hold the vote on the budget tonight. There will only be a Public Hearing tonight.

Motion was made by Mayor Starrs, second by Committeeman McNinch and carried to approve to open the public hearing for the budget

No public comments.

Motion was made by Mayor Starrs, second by Committeeman McNinch and carried to approve to close the public hearing for the budget.

ORDINANCE

Public Hearing/ Adoption

2019-04- An Ordinance Amending Chapter 156 of the Code of the Township of Knowlton Entitled "SOIL REMOVAL" in Order to Regulate Soil Importation

WHEREAS, the unregulated and uncontrolled dumping of potentially contaminated fill in the Township of Knowlton (the "Township") may result in conditions detrimental to the health, safety, and general welfare of the citizens of the Township; and

WHEREAS, there currently is no mechanism for the Township to abate and prohibit the hazards created

by the dumping of fill; and

WHEREAS, the Township Committee has determined that it is in the best interests of the Township to regulate the placement of fill within the Township and ensure it free of contaminants that would and be harmful or hazardous to residents; and

WHEREAS, procedures are needed to allow for submission of applications for the placement of fill within the Township; and

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

SECTION 1. The Title of Chapter 156 of the Code of the Township of Knowlton (the "Code") shall be amended to read "Soil Removal and Deposit."

SECTION 2. The Title of Chapter 156, Article II of the Code shall be amended to read "Soil Removal for Nonmining Activities."

SECTION 3. The Title of Chapter 156, Article III of the Code shall be amended to read "Soil Removal for Surface Mining Soil Extraction Operations."

SECTION 4. Section 156-4 of the Code, entitled "Definitions," shall be amended as follows:

The definition of "Soil" is deleted in its entirety and replaced with the following:

Includes dirt, stone, gravel, sand, humus, clay, loam and mixtures or any of these but this shall not include quarry process, consolidated material, rock products, or refer to the quarrying of rocks utilized in the construction of roads, driveways, or similar types of construction

SECTION 5. Chapter 156, Article IV shall be added entitled "Soil Importation" as follows:

§156-26 Permit Required; Expiration

A. Permit Required. No person shall import soil to a site within the Township of Knowlton in quantities of one hundred (100) cubic yards or more without first having procured a permit by filing of an application for such soil importation with the Township Clerk.

In no event shall trash, waste material, construction or demolition debris be permitted to be imported into the Township unless expressly authorized by vote of the Township Committee."

B. Expiration. Permits issued hereunder for soil importation shall expire 6 months after issuance. A person holding an expiring permit who intends to continue operations past the date of expiration must complete a renewal application in a timely manner so as to ensure that no lapse occurs. Each day of such a lapse may incur penalties pursuant to Section 156-33 hereunder.

§156-27 Application for Permit; Renewal

A. Application. The application shall disclose the following:

- 1) Name and address of the applicant
- 2) Name and address of the owner, if other than the applicant
- 3) The description and location of the land in question, including the tax map block and lot
- 4) The purpose or reason for placement of soil/fill
- 5) The nature and quantity, in cubic yards, of soil/ fill to be imported
- 6) The source of material to be used as soil/fill
- 7) Certificate of clean fill, if available
- 8) Source from where the soil/fill is coming from to be shown on the plans, including tax lot and block, owner's name and municipality
- 9) The location to which the soil/fill is to be placed
- 10) The proposed date of completion of the soil/fill
- 11) An approved soil erosion/sediment control permit (if applicable)
- 12) Permit fee and escrow deposit

B. Renewal. Any permit under this Article shall be renewed every six (6) months upon submission of the following information and completion of the following actions by the applicant /permittee:

(1) Submission of application fee pursuant to Section 156-28. Such fee must be paid upon each renewal.

(2) Statement that the applicant / permittee has not permitted or suffered a condition which would violate this Article to go uncorrected. Unabated violations of this Article shall be grounds for denying renewal of the application.

(3) Any updates to the information described in Subsection (A).

(4) Proof that taxes on the subject property are current and paid.

(5) Statement that the applicant / permittee is not in violation of any state, county or municipal law, ordinance or health regulation as a result of any activity or operations under the Article.

(6) Payment of all escrow fees required by Section 156-28 hereunder.

§156-28 Fees; Escrow

A. Permit Fee. The fee for issuance of a permit under this article shall be a minimum of one hundred (\$100.00) dollars plus ten (\$10.00) dollars per thousand cubic yards in excess of one hundred (100) cubic yards.

- B. Escrow. No application under this Article shall be considered unless the applicant has deposited with the Township Clerk initial escrow moneys in the amount of \$2,000 for engineering, legal, and other costs generated by an application. A minimum escrow balance of \$1,000 shall be maintained.
- C. Fees Waived. Where there is an approved site plan and said site plan approval includes the importation of soil, no permit, fee, or escrow deposit fee will be required.

§156-29 Application Review; Source Testing; Responsibility for expenses

A. The Township Engineer shall review all such applications and, if in the opinion of the Township Engineer, professional review of the application, including physical examination or testing of soil is required, the Engineer shall forward all pertinent materials to a soil consultant or environmental consultant for review and for a certified testing soil laboratory report which shall be delivered to the Township Committee within thirty (30) days from the date of completion of the application. Every load of incoming fill material must meet current New Jersey Department of Environmental Protection (“NJDEP”) residential direct contact soil remediation standards (N.J.A.C. 7:26D, Appendix 1, Table 1A), and be certified by the consultant as clean fill after testing that conforms to NJDEP’s Technical Requirements for Site Remediation N.J.A.C. 7:26E-1 et seq.

B. The report of the consultant shall be accompanied by an invoice for the services performed. All expenses connected with such testing are to be borne by the applicant and shall be deducted from the escrow account established pursuant to §156-28.

C. Processing Deadline. Within thirty (30) days of the date of submission of a complete application, the Township Engineer shall review the application in accordance with the procedures established in this Article and provide any testing results and a recommendation to the Township Committee. The Township Committee shall then decide whether to issue the permit at the first regular Committee meeting after submission of the recommendation and findings by the Township Engineer.

§156-30 Placement and Disturbance Standards.

A. All soil movement and filling operations must be conceived and operated in such a way that there will be no appreciable harmful effects to the environment.

B. Nuisances and Unsafe Conditions. All soil movement and filling operations shall be conducted as not to constitute a nuisance, and in no event shall said operation create any hazardous or unsafe condition with regard to any person or persons.

C. Use of Streets. In the placement of soil or fill operation, the applicant shall cause streets to be kept free from dirt and debris resulting from the soil or fill operation. Applicants are solely responsible for cleaning up street.

§156-31 Exceptions and Exemptions

A. The provisions of this Article shall not apply to the following:

1) Excavations or fill for septic tanks or sanitary inspections, provided that no excavation or construction of any kind shall take place until a site plan or permit has been approved by the Construction Official and/or Warren County Department of Health as required by law.

2) Prior to the delivery of soil, an applicant shall provide to the Township Engineer a Certificate of Clean Fill for each load. Every Certificate of Clean Fill must include the following for every incoming load: (1) the source location of the fill, (2) the name and relationship of the affiant to the source of the fill, (3) a statement to the best of the affiant's knowledge and belief that the fill is not contaminated, (4) a description of the steps taken to confirm that the fill meets the requirements of NJDEP's "Fill Material Guidance for SRP Sites" dated May 1, 2015 and as may be updated in the future.

3) The storage of sand, soil, stone, topsoil, mulch or other similar materials on lawfully existing landscaping and contractor yards, provided that the outdoor storage of materials on said property has previously been lawfully established, received a zoning permit, or received site plan approval pursuant to Chapter 11, Land Development Subcode of the Township of Knowlton.

B. Nothing in this subchapter shall be construed to affect or apply to any person engaged in a state-mandated cleanup plan; provided that all soil moving, removal operations, and fill operations are performed in accordance with said cleanup plan and provided further that notice of the state-mandated cleanup plan is placed on file with the Township Engineer prior to any soil moving, removal operations or fill operations

C. This ordinance does not supersede any rights granted under the New Jersey Right to Farm Act

§156-32 Revocation or Suspension of Permit

A. Revocation or Suspension. Any permit issued under this Article may be revoked or suspended by the Township Committee or Township Engineer:

(1) Where the applicant or permittee has violated or refused to comply with any provision of this Article.

(2) Where the permittee conducts unpermitted soil deposition activities on another piece of property within the Township.

(3) Where the permittee has failed to pay or caused to be paid any taxes upon the lands covered by his, her or its permit.

(4) Where the permit is in violation of any federal, state, county or municipal law or ordinance or health regulations as a result of any activity or operation under this Article.

(5) Where any operations of the permittee under this Article endangers the person or property of adjoining landowners or other persons in the Township.

(6) Where it is found that the applicant submitted false, incomplete or misleading information.

B. In the event that the permit is revoked in accordance with Subsection (A) above, all soil movement operations shall cease until such time as the revocation is reversed after a hearing before the Township Committee or an abatement of the violations.

C. Procedure.

(1) Notice of Violation. Whenever the Township Engineer and/or Township Committee determine that there are reasonable grounds to believe that there has been a violation of any provisions of this Article, they shall give notice of such alleged violation to the person or persons responsible therefor as hereinafter provided. Such notice shall be in writing, include a statement of the reasons why it is being issued, allow up to 30 days for the performance of any act it requires, be served upon the owner or his agent, and contain an outline of remedial action which, if taken, shall effect compliance with the provisions of this Article. Such notice shall be deemed to be properly served upon such owner or agent if a copy thereof is served upon him personally, if a copy thereof is sent by certified mail to his last known address as shown on the application, if a copy thereof is posted in a conspicuous place in or about the licensed premises involved, or if he is served with such notice by any other method authorized or required under the laws of this state.

(2) Stop Work Order. Upon service of notice that a permit under this Article has been revoked or suspending, all operations under the application and permit are to cease immediately. Upon consultation with the Township Engineer, permittee may take actions to abate the violations that involve soil movement.

(3) Any person affected by any notice which has been issued in connection with the enforcement of any provisions of this Article may request and shall be granted a hearing on the matter before the Township Committee, provided that such person shall file written notice of the request with the Township Clerk, setting forth a brief statement of the grounds therefore, within 10 days after service of notice upon him. Upon receipt of such written request, the Township Clerk shall set a time and place for such hearing and shall give the petitioner written notice thereof. After such hearing the Township Committee shall sustain, modify, or withdraw the notice. If the Township Committee sustains or modifies such notice, it shall be deemed to be an order which, at the discretion of the Township Committee, may operate as a revocation of the license. Any notice served pursuant to this Article shall automatically become an order if a written request for a hearing is not filed with Township Clerk within 10 days after such notice is served.

§156-33 Enforcement; Violations and Penalties.

A. Enforcement. For purposes of enforcing this Article, the Township Engineer is designated as the enforcing officer. It shall be the duty of the Township Engineer to make physical inspections in connection with any application for a permit, maintenance of the permit, or renewal permit hereunder

at any time at the Engineer’s discretion. It is an express condition of any permit granted pursuant to this Article that the enforcing officer be permitted unlimited and unconditional access to the operation and any fill source locations at any time.

B. Violations and Penalties. In addition to the revocation provided for herein, any person who violates this Article shall, upon conviction thereof, be subject to a maximum fine of \$2,000. Each and every day that such violation continues or exists shall be considered a separate and specific violation of these provisions and not as a continuing offense.

§156-34 Other Permits.

Nothing contained in this Article shall be construed to affect the applicant or owner’s application for soil erosion and sediment control permits or any other state or federal regulations or permits as required.

SECTION 6. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 7. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 8. This Ordinance shall take effect upon final passage and publication according to law.

Motion was made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve to open public hearing

No public comment

Motion was made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve to close public hearing

Motion was made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve by roll call vote: Cuntala—yes, McNinch—yes, Shipp—yes, Van Horn—absent, Starrs—yes, with minor clarification on wording made by Attorney Cushing, to the adoption of Ordinance 2019-04.

Introduction

2019-05- An Ordinance to Provide for Improvement to Kill/ Station Road within and for the Township of Knowlton and to Provide for the Funding thereof

BE IT ORDAINED the Township Committee of the Township of Knowlton, County of Warren, and State of New Jersey, that the following be properly authorized:

IMPROVEMENTS TO KILL/STATION ROAD - \$230,000.00

BE IT FURTHER ORDAINED that the financing for the above is as follows:

CAPITAL IMPROVEMENT FUND \$60,000.00

NJ DOT GRANT \$170,000.00

BE IT FURTHER ORDAINED that the period of usefulness of the improvements is in excess of the five (5) year statutory requirement, and that no debt shall be incurred by the Township for this improvement authorization.

The capital budget conforms with the provisions of this ordinance to the extent of any inconsistency therewith and the resolution promulgated by the Local Finance Board showing full details of the Capital Budget and Capital Program as approved by the Director, Division of Local Government Services as on file with the Municipal Clerk is available for public inspection.

This ordinance shall take effect immediately upon passage and publication in accordance with the law.

Motion was made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve by roll call Cuntala—yes, McNinch—yes, Shipp—yes, Van Horn--absent, Starrs—yes to the Introduction of Ordinance 2019-05.

Introduction

2019-06- An Ordinance to Provided for Improvement for to Stark Road within and for the Township of Knowlton and to provided for the Funding thereof

BE IT ORDAINED the Township Committee of the Township of Knowlton, County of Warren, and State of New Jersey, that the following be properly authorized:

IMPROVEMENTS TO STARK ROAD - \$206,000.00

BE IT FURTHER ORDAINED that the financing for the above is as follows:

RESERVE FOR ROAD IMPROVEMENTS \$50,200.00

NJ DOT GRANT \$155,800.00

BE IT FURTHER ORDAINED that the period of usefulness of the improvements is in excess of the five (5) year statutory requirement, and that no debt shall be incurred by the Township for this improvement authorization.

The capital budget conforms with the provisions of this ordinance to the extent of any inconsistency therewith and the resolution promulgated by the Local Finance Board showing full details of the Capital Budget and Capital Program as approved by the Director, Division of Local Government Services as on file with the Municipal Clerk is available for public inspection.

This ordinance shall take effect immediately upon passage and publication in accordance with the law.

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—absent, Starrs—yes to the the introduction of Ordinance 2019-06

RESOLUTIONS

2019-76-RESOLUTION AMENDING CONTRACT OF SALE (BLOCK 11, LOT 16)

WHEREAS, the Township of Knowlton declared certain real property owned by the Township located at 622 Route 94 (Block 11, Lot 16) (the “Property”) and authorized a sale by public auction pursuant to Ordinance 2019-2; and

WHEREAS, on or about March 16, 2019, the Township entered into a Contract of Sale for the Property with Dion Wojcik; and

WHEREAS, Ms. Wojcik has requested that the Contract of Sale be amended to reflect that she is purchasing the Property jointly with her husband; and

WHEREAS, pursuant to the Private Well Testing Act, the Township and Buyers must review the well testing results and certify to their receipt prior to closing (N.J.S.A. 58:12A-27(b)); and

WHEREAS, the Buyers have had water samples taken, but will not receive the test results prior to closing; and

WHEREAS, the Buyers have requested that the Contract of Sale be amended to allow the closing to take place prior to receipt of the well-testing results, conditioned upon the Property not being occupied until such results are received.

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

SECTION 1. The Mayor and Clerk are hereby authorized to execute the attached contract addendum in substantially the same form.

SECTION 2. This resolution shall take effect immediately.

Attorney Cushing discussed some minor amendments that are being made to the contract for 622 Route 94. He prepared this resolution and read it aloud to the Committee.

Motion made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve Resolution 2019-76.

2019-70- K-12 Feasibility Study Resolution

WHEREAS, our community recognizes the fundamental importance of strong public schools providing our students with thorough and efficient public educations; and

WHEREAS, severe changes to the school funding formula were made by former Senate Bill 2, now adopted as P.L. 2018 Chapter 67, without consideration to its consequences to our community, which will virtually eliminate state aid funding (“AID REDUCTION”) for the K-12 students from Blairstown, Frelinghuysen, Hardwick, and Knowlton which will occur over the next six fiscal years; and

WHEREAS, the aid reduction will have an irreparable impact to not only those school districts but also to the economic viability of the surrounding townships and region because when our schools suffer, our communities lose; and

WHEREAS, the recently created Legislative Economic and Fiscal Policy Workgroup was charged with a “broad mission to identify ways to address soaring . . . costs, hold down property taxes, make state and local government and school districts more efficient . . . and mitigate the negative impact of the federal tax law that targeted high-cost states,” and on August 9, 2018, published its report called “Path to Progress;” and

WHEREAS, increasing educational costs create tax burdens for our communities; and

WHEREAS, consistent with the mission of the Path to Progress, our local entities are collaboratively looking to conserve resources and find efficiencies through shared services and other options, including the consideration of regionalization, consolidation, and expanded send-receive relationships between and among our school districts; and

WHEREAS, guidance from the New Jersey School Boards Association released on February 16, 2018, analyzed barriers to regionalization, consolidation, and expanded send-receive relationships between and among school districts titled, “Impediments to School District Regionalization” which suggests that the first step in determining whether such actions are viable is to engage in a fact-gathering “feasibility

study;” and

WHEREAS, our community recognizes that this resolution is not a vote to regionalize, consolidate, create new send-receive relationships, or in any other way change our current and established school district.

NOW, THEREFORE, BE IT RESOLVED, the Township of Knowlton supports and agrees to participate in a feasibility study, as facilitated by Blairstown Township, which will be reimbursed by the State of New Jersey.

Mayor Starrs explained that she sat with all the Mayors of the North Warren District and they all seemed to be in agreement to the Feasibility Study. Each town must pass this resolution for the study to go forward. Deputy Mayor Shipps and Committeewoman Cuntala went and spoke with the Knowlton Board of Education. Deputy Mayor Shipps said that she felt there were mixed feelings regarding doing the Feasibility Study.

Motion was made by Mayor Starrs, second by Committeeman McNinch and carried to approve Resolution 2019-70.

2019-71 Resolution Concerning Traffic Impacts to the NJDOT’s Route 80 Westbound Rockfall Mitigation Project

WHEREAS, the New Jersey Department of Transportation (NJDOT) alleges falling rock from Mount Tammany poses a hazard to public safety traveling on Route 80; and

WHEREAS, the NJDOT intends to build a series of high industrial fences and a 60-foot concrete pyramid called a “rockfall berm” at a cost currently estimated at \$65.624 million along Route 80 through the Delaware Water Gap and within lands located in Knowlton and Hardwick Townships and the Delaware Water Gap National Park; and

WHEREAS, the construction is expected to last two years and is slated to begin in 2022; and

WHEREAS, there are 70 to 80 annual motor vehicle accidents in this section of Route 80 due to speed and poor road conditions that this project will not address; and

WHEREAS, traffic congestion during the 2 years of construction will likely cause motorists’ GPS systems to divert them onto local roads; and

WHEREAS, the closest hospital to Knowlton Township is located west of the construction zone and Knowlton Fire & Rescue responders will need to bypass congestion and plan possible detours as soon as possible; and

WHEREAS, significant volumes of Route 80 truck traffic, if diverted onto local roads, raises safety concerns for families and children in the area; and

WHEREAS, significant volumes of Route 80 truck traffic, if diverted onto local roads, raises liability concerns for damage to local roads; and

WHEREAS, the NJDOT's written response to these concerns has been that the information will be provided during the Final Design phase of development; and

WHEREAS, it is in the best interest of transparency and the safety of residents and the traveling public to have as much advanced notice as possible of any detours that may be necessary during construction.

NOW, THEREFORE, BE IT RESOLVED, the Township of Knowlton formally requests the following from the NJDOT in relation to the Route 80 Westbound Rockfall Mitigation Project:

- 1) The current Maintenance and Protection of Traffic plans for the project, in whatever stage those plans are in at the present
- 2) The traffic volume studies that will be used to design any detour plans
- 3) Any available statistics on increased accidents in the construction zones on Route 80 in New Jersey
- 4) The exact plan for Emergency and Rescue vehicles to bypass the construction zone, in whatever stage those plans are in at the present

BE IT FURTHER RESOLVED, a copy of this resolution shall be sent to Congressman Josh Gottheimer, Senator Cory Booker, and the legislators of the 24th District Office, Senator Steven Oroho, Assemblyman Parker Space, and Assemblyman Hal Wirths

Mayor Starrs asked Attorney Cushing about preventing Knowlton roads from being used as a detour for Route 80 traffic if the rockwall project goes forward. Attorney Cushing said the Committee cannot prevent the roads from being used in detours but they can do weight limits that would limit truck traffic. Engineer Rodman will look into this for Stark and Hainesburg River Roads.

Motion was made by Mayor Starrs, second by Committeeman McNinch and carried to approve Resolution 2019-71 with the clause at the end regarding the legislators.

2019-72 Recycling Tonnage Application (2018)

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the 2018 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycle and to indicate the assent of the Township of Knowlton to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Township of Knowlton Committee of the Township of Knowlton that the Township of Knowlton hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates JoAnn Fascenelli, Certified Recycling Professional to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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—absent, Starrs—yes to Resolution 2019-72.

2019-73 Resolution to Support the New Jersey Department of Transportation Proposed Project Entitled “Route 46 over Paulins Kill Bridge Replacement” in the Township of Knowlton, Warren County, New Jersey

WHEREAS, the New Jersey Department of Transportation (NJDOT) has proposed a bridge replacement on Route 46 over the Paulins Kill River in the township of Knowlton, Warren County; and

WHEREAS, the department has proposed: a cross section across the bridge, which includes two 12’ lanes in each direction with a 10’ shoulder in each direction; a sidewalk located on the south side of the bridge and a 1’ shared-use path on the north side of the bridge; a 4’ wide divider separating directional traffic; and

WHEREAS, the department has proposed upgrading the existing guide rail and end treatments, as well as construction of approach slabs, and maintaining the connection to Liberty to Water Gap Trail.

NOW, THEREFORE, BE IT RESOLVED, the Township of Knowlton that this supports this proposed “Route 46 over Paulins Kill Bridge Replacement Project.”

Motion was made by Committeeman McNinch, second by Committeewoman Cuntala and carried to approve Resolution 2019-73.

2019-74 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 Committeewoman Cuntala and carried to approve by roll call vote: Cuntala—yes, McNinch—yes, Shipps—yes, Van Horn—absent, Starrs—yes to Resolution 2019-74.

OLD BUSINESS

Salt Subcommittee Letter—tabled for a later meeting

Delaware Beach—Acting Clerk Shipps explained to Attorney Cushing that there were a few residents that would like to volunteer their time and machines to fix a swale at the Delaware Beach. Attorney Cushing agreed to draft a waiver for each volunteer to sign.

NEW BUSINESS

Recreation Mower for Sale

Recreation Dennis Lembeck would like to sell the recreation mower. Committeeman McNinch suggested using one of the online bidding sites. Committee agreed to use the online bidding site. Committeeman McNinch will look into sites to use and give an update at the next township meeting.

CORRESPONDENCE

Town wide clean up—Motion was made by Mayor Starrs, second by Committeeman McNinch and carried to approve to change the policy for the yearly townwide clean up. Beginning next year, DPW pickup will be offered only to residents with disabilities who can provide the disability placard provided by the state.

MEETING MINUTES

April 25, 2019 Executive Session Meeting Minutes—Motion made by Committeewoman Cuntala, second by Committeeman McNinch and carried to approve April 25, 2019 Executive Session Meeting Minutes.

April 25, 2019 Public Session Meeting Minutes—Motion made by Committeewoman Cuntala, second by Committeeman McNinch and carried to approve April 25, 2019 Public Session Meeting Minutes.

PUBLIC COMMENT

Resident Vincent Gaeta asked about the Soil Ordinance and who regulates the certificate of clean fill. Mayor Starrs explained that the regulation is coming from a state statute.

Resident Keith Stouch asked if there was anyone OSHA certified for the volunteers at Delaware Beach.

EXECUTIVE SESSION

Motion was made by Mayor Starrs, second by Committeewoman Cuntala and carried to approve to go into Executive Session at 9:01 p.m.

2019-75 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

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 10:10 p.m.

ADJOURNMENT

Motion was made by Mayor Starrs, second by Committeewoman Cuntala and carried to adjourn tonight's Township meeting at 10:11 p.m.

Respectfully submitted,
Kristin Shipps
Acting Municipal Clerk