

**MINUTES OF KNOWLTON TOWNSHIP
WARREN COUNTY, NEW JERSEY
PUBLIC MEETING MINUTES
May 14, 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 7:01 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 Star Gazette and/or the Express Times as well as providing said schedule in the Municipal Clerk's office."

Roll Call

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

Also present was Township Engineer Ted Rodman and Township Attorney Richard Cushing

PRESENTATION

State Trooper Pisano

Mayor Starrs asked Trooper Pisano what the state regulations are regarding shooting on property. Trooper Pisano said that they need to be 450 feet away from any structure, even if it is unoccupied, if they do not have permission from the owner. Target practice just needs to be in a safe direction and use a backstop. Time and noise would be enforced by Township Ordinances.

Mayor Starrs asked about the hours of the weigh station and having it open more frequently. Trooper Pisano did not know the hours but will get back to Mayor Starrs.

Resident Sharon Valentine asked if there is any way to control the truck traffic on Decatur St. Trooper Pisano will talk to his Supervisor.

Mayor Starrs asked Attorney Richard Cushing if the township nuisance ordinance would be enough for the Zoning Office to enforce problems with shooting at night even though there are no specified time restrictions in the Ordinance. Attorney Cushing will review the Ordinance.

Beth Styler Barry—Nature Conservancy

A timeline was provided to the committee regarding the Columbia Dam removal. The project will start as early as this week. Engineer Ted Rodman mentioned that a driveway application need to be submitted for Bruglar Rd. Ms. Barry explained that she is aware of the driveway application and Bruglar Rd. access will be used to bring in rocks to reinforce the bridge. Mr. Rodman also asked the project Engineer to document the condition of the road prior to work beginning in case there is any damage. Ms. Barry addressed the fire intake. The Knowlton Fire department is satisfied with the new location. Ms. Barry gave a brief update regarding the letter that was sent to NJDEP from Knowlton Township on residents' requests for the Columbia Lake. NJDEP has the final say, but Ms. Barry

addressed some of the items and will help with seek funding. There are two residents concerned with the monitoring of their wells. Both of the wells have been inspected. The week of May 21, there will be monitoring wells installed. Ms. Barry said the contract for the dam removal work was selected by the Nature Conservancy and is Sumco Eco Contracting LLC, with the exception of the demolition of the power house. That contract is between the contractor and the state of NJ. Committeeman. McNinch questioned Ms. Barry about the invasive species snake heads, which was not part of Ms. Barry's presentation. Ms. Barry replied that the dam is not a barrier for snake heads and they are capable of coming upstream.

Mayor Starrs asked if the Nature's Conservancy would help with opposition to the Rt. 80 Rockwall fence. Ms. Barry explained it is outside of what the Nature's Conservancy does because it is not a habitat issue.

Resident Rene Mathez asked what side of the Kill would the road be on? It will not be on the side of the fire road.

PUBLIC COMMENT

Open Space Chairman Rene Mathez said they are getting a few more farmland preservation applications and asked how the Committee felt about proceeding. Mayor Starrs and Committeeman McNinch believe there is a least \$50,000 in the open space fund. Mayor Starrs asked how much would you need? Mr. Mathez will get an estimate for the next meeting.

Resident Margie Kelly Feels the vacant/ abandoned property ordinance will be a great idea. And there are many houses that are not taking care of and it will help residents who are selling their homes next to an abandoned house.

Resident Sharon Valentine also talked about the house on Decatur St. that is vacant and is getting overgrown. She also asked about a bad tree on Decatur St. and asked if it could be looked into or if it is in the township's right away.

DEPARTMENT REPORTS

Township Engineer Ted Rodman

Problem Statement for the Simpson Rd/ Rt. 80 exit has been resubmitted. We are waiting on a reply from the state. Hemlock Rd. —working on a budget number to fix the problem. Polkville Rd.— getting a list for preconstruction meeting. Mr. Rodman read aloud the quotes received for the Septic System for the building next door. Resident Bill Clifford said he could do the job for \$1,000 but does not have a plumber's license.

Motion was made by Mayor Starrs, second by Deputy Mayor Cuntala, and approved by Roll Call vote Cuntala—yes, McNinch—no, Shipp—yes, Van Horn—no, Starrs—yes to go with the low quote from Ash Plumbing in the amount of \$2,950.

Warren County repaving update. Problem Statement for Washington St. has been resubmitted with maps showing that Washington Street is under NJDOT jurisdiction. Cost for roll-up door at salt shed is \$27,500 from Dutchman who installed the salt shed. Mr. Rodman would double check on the price. Committeeman Van Horn will look around to see if there are other options. New Delaware Travel Center is trying to open with the next few weeks.

Attorney Cushing recommends putting all requests for quotes on website.

Deputy Mayor Cuntala said Recreation Director Dennis Lembeck asked if they could fix the damaged fence at Tunnel Field before they get the insurance money. Acting Clerk Shipps asked if they could wait till the next meeting since there was just a follow up sent out from the insurance agent.

Public Hearing/Adoption

2018-03 Calendar Year 2018 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Knowlton in the County of Warren finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$58,160.10 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Knowlton, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Township of Knowlton shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$58,160.10 and that the CY 2018 municipal budget for the Township of Knowlton be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Motion was made by Mayor Starrs, second by Deputy Mayor Cuntala, and approved by an all-in-favor to go into public hearing.

No public Comment

Motion was made by Mayor Starrs, seconded by Deputy Mayor Cuntala, and approved by an all-in-favor to come out of public hearing.

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 adopt Ordinance 2018-03.

Introduction

2018-04 Abandoned Buildings Registry Ordinance

Discussion regarding the wording of the Ordinance. This ordinance has been tabled for Attorney Cushing to add extra language giving extra protections to residents and adding an appeal process. Mayor Starrs did a poll and Cuntala, Shipps, Van Horn, and Starrs are in favor of having the ordinance apply to banks and residents.

RESOLUTIONS

2018-70 Fixing the Salaries and Wages of Officials, Appointees and Employees of the Township of Knowlton in the County of Warren, State of New Jersey 2018

BE IT RESOLVED by the Mayor and Township Committee of the Township of Knowlton, in the County of Warren and State of New Jersey that the salaries of the elected officials, appointees and employees of the Township of Knowlton, in the County of Warren and State of New Jersey, shall be as follows for the year 2018:

	AMOUNT	PER
Acting Township Clerk	36,342.60	Year
Registrar	2,595.90	Year
Deputy Clerk	25.30	Hour
Recreation Director	8,539.81	Year
Recreation Laborer (P/T)	15.00-15.89	Hour
Municipal Housing Liaison	32.64	Hour
Tax Assessor	18,149.90	Year
Assist. Tax Assessor	4,038.12	Year
Property List Certification	10.00	as billed
Tax Collector	25,985.55	Year
Deputy Tax Collector	20.61	Hour
Fire Prevention Official	6,376.54	Year
Code Enforcement Official	12,240.00	Year
Code Enforcement Official Court Appearance	43.38	hour
Public Works Manager	30.75	hour
Public Works Assist. Supervisor	25.86	hour
Public Works Driver/Laborer I	19.92	hour

Public Works Laborer II	19.34	hour
Public Works Laborer III	16.04	hour
Public Works Driver/Laborer Part Time	15.00-15.61	hour
Animal Control Officer	7,553.63	Year
Driveway Inspector	30.09	per inspection
Secretary - Board of Adjustment	7,841.00	Year
Secretary – Planning Board	7,841.00	Year
Emergency Management Coordinator	3,834.21	Year
Emergency Management Assistant	34.42	Hour
Emergency Management Deputy	1,686.50	Year
9-1-1 Coordinator	1,832.14	Year
Municipal Court Judge	34,889.22	Year
Municipal Court Administrator	74,528.88	Year
Deputy Court Administrator	38,336.39	Year
Call Outs	61.10	as billed
Municipal Court Attendant	216.72	per session
Clean Communities Supervisor	3,250.94	Year
Maintenance Custodian	7,614.88	Year

BE IT FURTHER RESOLVED that other employees’ benefits and compensation are set forth in a Personnel Policy, as amended.

BE IT FURTHER RESOLVED that this resolution shall be retroactive to January 1, 2018, except as otherwise noted.

Motion was made by Committeeman McNinch, second by Deputy Mayor Cuntala and approved by roll call vote: Cuntala—yes, McNinch—yes, Shipp—yes, Van Horn—yes, Starrs—yes to approve Resolution 2018-70 with the exception of the Mayor and Committee will not receive a 2% increase.

2018-71 Resolution Authorizing the Mayor to Sign a Professional Services Contract with Keith Bonchi, Esq., of GMS Law For *In Rem* Foreclosure Services Tabled until a top 10 list is provided.

2018-72 Resolution Authorizing the Mayor and Clerk to Execute the Agreement Authorizing Connection to the Township of Knowlton Sewer System between Knowlton Township and Simpson Road Project LLC Will be discussed after Executive Session.

2018-73 - A Resolution Supporting the Scenic Byways Nomination Application to NJ Scenic Byways Advisory Committee (at NJDOT)

WHEREAS, a Scenic Byway is defined as a transportation corridor of regionally outstanding scenic, natural, recreational, cultural, historic or archaeological significance; and

WHEREAS, the State of New Jersey maintains a Scenic Byways Program that identifies, promotes, and preserves New Jersey’s scenic roads and also provides funding for townships to promote tourism and encourage protection of these roadways; and

WHEREAS, the stretch of Route 80 through Knowlton Township with a view of the Delaware Water Gap is one of New Jersey's outstanding natural attractions; and

WHEREAS, Scenic Byways Designation offers protection against highway billboards and other manmade visual detractions on the highway such as steel fences; and

WHEREAS, other benefits of Scenic Byways Designation include: Federal funding, increased tourism, planning for managed growth, preservation of the view of the Delaware Water Gap in Knowlton Township; and

WHEREAS, Scenic Byways Designation includes an agreement by the sponsor, which is the Environmental Commission, to undertake a Corridor Management Plan; and

WHEREAS, a Corridor Management Plan provides a scenic inventory of the byway, long term management and maintenance recommendations, "view shed" management including land use, economic benefits, funding needs and sources, and other relevant factors; and

WHEREAS, non-matching grants are provided by the State for Corridor Management Plans and the Knowlton Environmental Commission agrees to undertake the responsibility for applying for such a grant; and

WHEREAS, failure to secure a Corridor Management Plan grant will result in the loss of Scenic Byways Designation after a period of 5 years and no other penalty; and

WHEREAS, the Knowlton Environmental Commission wishes to submit an application for Scenic Byways Designation for a loop including exit 12 off of Interstate Route 80, following Route 521 North, left onto County Route 94 South, turning right onto Academy Road, right on Main Street and left onto Blair Place, continuing onto High Street, then Millbrook Road (County Route 602) North, turning left onto Old Mine Road in the Delaware Water Gap National Recreation Area, continuing through Worthington State Forest, meeting back with Interstate Route 80 from the Delaware Water Gap back to Exit 12; including a spur in Knowlton Township off of Interstate Route 80 at exit 4C, Route 94 North to the Village of Hainesburg; and including an extension along Old Mine Road up to the junction of Route 206 within the Delaware Water Gap National Recreation Area.; and

WHEREAS, there has been enthusiastic encouragement on the part of the Scenic Byways Nomination Board to see these sections of road referenced above brought into the program.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of Knowlton expresses its supports for the application for the sections of road referenced above to be designated as a State Scenic Byway.

Motion was made by Mayor Starrs, second by Deputy Mayor Cuntala, and approved by an all-in-favor to Resolution 2018-73

2018-74 Resolution Approving Payment of Vouchers

BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, Warren County, New Jersey, that all claims attached are hereby approved as reasonable and proper claims against the Township of Knowlton.

THEREFORE, BE IT RESOLVED that approval for payment is hereby given to the Chief Financial Officer to pay said claims, subject to the availability of funds.

Motion was made by Mayor Starrs, second by Committeewoman Shipps, and approved by roll call vote: Cuntala—yes, McNinch—yes, Shipps—yes, Van Horn—yes, Starrs—yes to Resolution 2018-74. Deputy Mayor to follow up with the court regarding the maintenance fees for their recording system. Mayor Starrs pulled a voucher that was for a dinner that she attended that she will pay out of pocket.

OLD BUSINESS

May 9, 2018 Meeting with NJDOT about the Route 80 Rockwall Project

Mayor Starrs provided an update on meeting that she felt was disappointing because the NJDOT did not give any ground whatsoever. There has been a new finding that Mayor Starrs discussed regarding the cost of the project. It is now over \$65 million. Other DOT rock mitigation projects in the state cost under \$10 million. Mayor Starrs submitted a complaint to the Office of Program Accountability and Audit, which investigates government waste. Also the official paperwork only has Hardwick Township and Knowlton Township is omitted as a stakeholder.

2018 Personnel Manual Revisions

Committeeman McNinch suggested having 1,000 hours per year required for part-time employees for them to qualify for sick days, which turns out to be 20 hours per week. Motion was made by Mayor Starrs, second Deputy Cuntala and approved with an all-in-favor for the statement that Mayor Starrs read to be entered into the personnel manual as a new section on sick time for part-time employees. Motion was made by Mayor Starrs, second by Committeewoman Shipps and approved with an all-in-favor the other changes previously approved to be added to the personnel manual.

Ramsayburg Grant Update

Committeeman McNinch updated the committee on the Ramsayburg Grant. Committeeman McNinch sent three documents to Joseph Birchenough at NJDOT for his comment and is waiting on a response. Final contract must be fully in place by August of 2019.

Columbia Dam NJDEP

Motion was made by Mayor Starrs, second by Committeewoman Shipps and approved with an all in favor for Mayor Starrs to draft a letter for a follow up from the February 2018 letter.

Committeeman McNinch called Gottheimer's office concerning federal equipment that could be available to the township and specifically a dump truck. Mayor Starrs said that the Committee

already joined the Government Surplus Program and suggested getting Committeeman McNinch access to the website for him to look at what is available.

NEW BUSINESS

Board of Adjustment Resignation Letter

Motion was made by Mayor Starrs, second Deputy Mayor Cuntala, and approved by an all-in-favor to accept Scott Winschuh's resignation letter with regret.

Motion was made Mayor Starrs, second Deputy Mayor Cuntala, and approved by an all-in-favor to have Kate McGuinness move to Scott Winschuh's spot and Karen Lund to take the spot of alternate #2.

Community Service Supervisor Resignation Letter

Motion was made by Mayor Starrs, second by Deputy Mayor Cuntala and approved by an all in favor to approve John Sikora Resignation letter with regret. Deputy Mayor Cuntala will put together wording to be approved at the next township meeting to post on the website for position.

Charitable Tax Cut Plan

Mayor Starrs spoke with Evan Howell Knowlton Township Tax Collector is going to a conference this week to get more updates regarding the new law that was passed and will take effect July 3rd. The law could allow residents a way around the \$10,000 cap on what can be deducted on residents' federal tax returns. Attorney Cushing said the requirements may be difficult for small towns and recommends just waiting on this project.

CORRESPONDENCE

No Correspondence

APPROVAL OF MINUTES

August 10, 2015 Executive Session Minutes

Motion was made by Mayor Starrs, second by Deputy Mayor Cuntala and approved by roll call vote: Cuntala—yes, McNinch—abstain, Shipps—yes, Van Horn—abstain, Starrs—yes to the August 10, 2015 Executive Session Minutes.

April 9, 2018 Executive Session Minutes

Motion was made by Deputy Mayor Cuntala , second by Committeewoman Shipps, and approved by an all-in-favor for the April 9, 2018 Executive Session Minutes

April 9, 2018 Public Meeting Minutes

Motion was made by Committeewoman Shipps, second by Deputy Mayor Cuntala, and approved by an all-in-favor for the April 9 2018 Public Meeting Minutes

April 26, 2018 Public Meeting Minutes

Motion was made by Deputy Mayor Cuntala, second by Committeewoman Shipps, and approved by an all-in-favor for the April 9, 2018 Public Meeting Minutes.

PUBLIC COMMENT No public comment

EXECUTIVE SESSION

Motion was made by Mayor Starrs, second Deputy Mayor Cuntala and approved by an all-in-favor to go into Executive Session at 9:33p.m.

Resolution 2018- 69 Authorizing an Executive Session for the Purpose of:

WHEREAS, the Open Public Meetings Act; N.J.S.A. 10:4-6 et seq., declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognized exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Township Committee find it necessary to conduct an executive session closed to the public as permitted by the N.J.S.A. 40:4-12; and

WHEREAS, the Mayor and Township Committee will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Knowlton Township, County of Warren, State of New Jersey that they will conduct an executive session to discuss the following topic (s) as permitted by N.J.S.A. 40:4-12:

- A. Contract Negotiations
- B. 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 Deputy Mayor Cuntala, and approved by an all-in-favor to come out of Executive Session at 10:14pm

2018-72 Resolution Authorizing the Mayor and Clerk to Execute the Agreement Authorizing Connection to the Township of Knowlton Sewer System between Knowlton Township and Simpson Road Project LLC

WHEREAS, the Simpson Road Project, LLC, has an approved Development on Block 14 Lots 1 and 2 on the Tax Maps of Knowlton Township;

WHEREAS, the Township entered into a Service Agreement Between the Township of Knowlton and Applied Environmental Systems, Inc. , on November 13, 1995 ("Service Agreement"), whereby Applied Environmental Systems, Inc. agreed to design, build, and operate a wastewater treatment

facility ("Plant") for the Township to treat wastewater originating from certain properties located within the service area as defined in the Township's approved Wastewater Management Plan; and

WHEREAS, Simpson Road Project, LLC, will require wastewater treatment and is within the aforementioned service area; and

WHEREAS, the Township Committee of Knowlton possesses agreements with McDonald's and the Travel Centers of America, the other users of the wastewater facility, delineating the terms and conditions of use of the wastewater facility; and

WHEREAS, the Township Committee of Knowlton desires to have an agreement with Simpson Road LLC, delineating the terms and conditions of wastewater processing for their approved development, the Delaware Travel Center.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of Knowlton hereby authorizes the Mayor and Clerk to execute the attached Agreement Authorizing Connection to the Township of Knowlton Sewer System upon the execution of the form of the Agreement by Simpson Road Project, LLC and approval of the form by Committeeman McNinch.

Motion was made by Mayor Starrs, second by Committeeman McNinch, and approved by a roll call vote: Cuntala—yes, McNinch—yes, Shipps—yes, Van Horn—yes, Starrs—yes to Resolution 2018-72 with changes recommended by Attorney Cushing.

ADJOURNMENT

Motion was made by Mayor Starrs, seconded by Deputy Mayor Cuntala, and carried to adjourn tonight's Township meeting at 10:17 p.m.

Respectfully submitted,

Kristin Shipps
Acting Municipal Clerk