

**ALEXANDRIA TOWNSHIP COMMITTEE MEETING
MINUTES
January 3, 2018**

This meeting was advertised in the Hunterdon County Democrat, notice posted in the Alexandria Township Municipal Offices and the Alexandria Township Website, (www.alexandrianj.gov) as required by the Open Public Meetings Act.

Meeting Called to order at 7:35 PM.

ROLL CALL:

PRESENT: Mayor Garay, Committeeman Pfefferle, Committeeman Kiernan, Township Attorney Dragan, Township Engineer Decker

ABSENT: None

FLAG SALUTE: Done during the Alexandria Township Re-Org. meeting

JANUARY IS RADON ACTION MONTH PROCLAMATION

Mayor Garay read the January is Radon Action Month Proclamation (*attached*)

TOWNSHIP COMMITTEE OVERSIGHT REPORTS:

Environmental Commission (EC)/Health Dept. Oversight

- Environmental Commission (EC) Member/2017 Chairman Jay Arancio thanked the Township Committee for allowing the EC to have a successful 2017. Some of the projects that were done this year:
 - 1.) Held the well-received Diana Dove presentation at the Alexandria Schools.
 - 2.) A stream clean-up was held this past year with the Raritan Headwater Association. The EC cleaned the stream along Creek Road and over 27 bags of debris were collected.
 - 3.) The sale of well water testing kits was very good in 2017.

The EC will continue with all of these projects in 2018 along with holding workshops for residents on the Emerald Ash Borer Beetle.

Personnel/Park & Rec Oversight

- No Report

Finance/DPW Oversight-Comm. Pfefferle

- No Report

Joint Court:

- The salary for the Court Administrator is paid and split between Holland Township, Alexandria Township, and Frenchtown Boro in conjunction with the amount of tickets that are written. Due to the pension laws being changed the Court Administrator can only report one salary from one town to pensions. CFO Steinberg recommended that Alexandria Township become the lead agency to pay the salary of \$50,000.00 in its entirety. Alexandria Township will collect quarterly from Holland Township and Frenchtown Boro the percentage of salary based on written tickets and 20% for Social Security, Unemployment, Workers compensation and Pension on the first month following the quarter starting January 15th.

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to authorize Twp. Atty. Dragan to draft an amendment to the Court contract and a Resolution reflecting the change in the payment of the Court Administrator salary.

Roll Call: Aye: Garay, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

PUBLIC COMMENT FOR AGENDA RELATED MATTERS ONLY:

None

OLD BUSINESS:

- PennEast Pipeline

Environmental Commission Member Jackie Freedman noted that the Penn East pipeline is not on the agenda with FERC for December 21st. The Pennsylvania Department of Environmental Protection has suspended construction of the pipeline.

NEW BUSINESS:

- Professional Services for 2018

NOTE: CFO Steinberg was present for this discussion.

There are new requirements by the State of New Jersey Local Finance Board when appointing professionals for the 2018 year. The resolutions need a "not to exceed" number included in them which is to reflect how much the Township budgeted for the services for the year. If the professionals "not to exceed" number goes past what was budgeted than a new resolution needs to be done prior to payment being made. Township Administrator/Clerk Bobrowski provided the Township Committee with the 2017 Budget and a print out of expenses paid out to each professional in 2017 to assist in determining a "not to exceed" number for the 2018 Professional Appointment resolutions. Comm. Pfefferle voiced concern over appointing professionals when the

Township has not passed a budget for 2018 and the Township doesn't know what the "not to exceed" number is going to be. Comm. Pfefferle would like to have professional contracts start on July 1st. Comm. Pfefferle would like to review the information provided to the Township Committee and determine "not to exceed" numbers for the February meeting so that the Resolutions can be approved at that time. Comm. Pfefferle expressed that he would like to have the professional contracts run until June 30th. The budget will have been adopted by then and the Township Committee will know what is to be spent on each professional and can re-appoint the professionals for July 1st. Comm. Pfefferle would like to have the Township move to a fiscal budget year.

Mayor Garay asked Twp. Atty. Dragan if there were any potential problems that could arise from the suggestions made by Comm. Pfefferle. CFO Steinberg noted that the only downside he sees with this change is that once the Township goes on this cycle and if there is a change in the governing body, professionals would have to be appointed for a six month term if the governing body wants to make a change to a professional. CFO Steinberg noted that no other municipalities that he is aware of does this currently but there is an operational benefit since the Township's appoint professionals in the beginning of the year not knowing the budget yet. Twp. Atty. Dragan noted that the Township Committee does resolutions on a yearly basis that coincide with the appointment of the Township Committee. Twp. Atty. Dragan will need to do research on this recommended change. Comm. Pfefferle stated that the change makes sense on a fiscal standpoint, but Twp. Atty. Dragan noted that the Township runs on a calendar year; from January 1st to December 31st. Comm. Pfefferle explained that the budget is not approved until later in the year. Twp. Atty. Dragan noted that Townships adopt a temporary budget because of that reason, but Comm. Pfefferle stated that temporary budgets are never discussed; they are percentages of money from the prior year. Twp. Atty. Dragan noted that under the Professional Contracts Law that Professionals must be appointed on a yearly basis, but a Township Committee could appoint a professional on an interim basis. Twp. Atty. Dragan will need to review the statutes.

Comm. Pfefferle asked if a motion is needed to hold over professional appointments until the next meeting in February. Mayor Garay felt that appointments needed to be made tonight. Comm. Pfefferle noted that the Township Committee at this time could not pass the resolutions that are before them until a "not to exceed" number is determined. Twp. Atty. Dragan informed the Township Committee that without the resolutions being approved, the Township does not have any professionals working on their behalf. Comm. Pfefferle recommended that professional appointments be held over or the Township Committee can approve the proposed Resolutions until June 30th of this year and determine from there if the Township Committee wants to continue the contracts for another six months after. Comm. Pfefferle noted that if it is determined by Twp. Atty. Dragan that Professionals have to be appointed yearly, then their appointments would renewed after June 30th bringing the contracts current with the calendar year.

Mayor Garay asked CFO Steinberg what the issue is trying to be resolved at this meeting. CFO Steinberg explained to Mayor Garay that there is a new change in the law. The change in the law is that when a Township Committee makes an appointment of a professional that the resolution must have a budget number and a “not to exceed” number in the resolution. Having this information in the resolution is verification that the Township has the funds to encumber the debt. CFO Steinberg further noted that the Township Committee cannot move from a calendar year to a fiscal year because the Township doesn’t have the funds set aside.

Comm. Pfefferle recommended that the appointments for this year be made until June 30th and place “not to exceed” numbers in the resolutions that can be amended at a later date when additional funds may be needed. The following “not to exceed numbers” were determined:

- 1.) Planner, David Banisch \$ 5,000.00
Appointment until 6/30
- 2.) Engineer Thomas Decker \$15,000.00
Appointment until 6/30
- 3.) Auditor- Comm. Pfefferle would like to go out for a Request for Professional services for an Auditor for 2018. The current auditor will continue for 2017.
- 4.) Bond Counsel Anthony Pannella \$ 5,000.00
Appointment until 6/30
- 5.) Twp. Atty. Sharon Dragan \$ 40,000.00
Appointment until 6/30
- 6.) Tax. Atty. Martin Allen \$ 5,000.00
Appointment until 6/30
- 7.) Special COAH Counsel Jon Drill \$ 5,000.00
Appointment until 6/30
- 8.) Labor Atty. Matthew Giacobbe \$ 2,000.00
Appointment until 6/30
- 9.) Litigation Atty. Joe Tauriello \$10,000.00
Appointment until 6/30
- 10.) LSRP Robert Schwarzkopf \$ 2,000.00
Appointment until 6/30

Township Administrator/Clerk Bobrowski noted that Twp. Atty. Dragan will need to confirm that the appointments can be made for the six month period and questioned the contracts that were provided as they are for a yearly appointment, not the six month appointment that was made.

Comm. Pfefferle made a motion, seconded by Mayor Garay to appoint the professionals above for a six month term with the “not to exceed” numbers as listed.

Roll Call: Aye: Garay, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

Comm. Pfefferle noted the following concerns he had with some of the contracts that were provided by the Professionals:

- 1.) Township Engineer- # 6, “All contracts loaned and furnished by the Public Body, will be considered to be owned by the public body and shall be turned over to the Public Body upon request. All original field notes, calculations, drawings (tracings), worksheets, correspondence, and other filed data developed by the Engineer are to be considered to be owned by the Engineer. In the event that the Public Body wishes prints of photocopies of documents in possession of the Engineer and for which the Engineer has been paid for their services associated with same, than these will be supplied in accordance with the usual, customary, and reasonable charges of Engineer’s reproduction.”

Comm. Pfefferle would like the Township to own all the documents that are paid for. Comm. Pfefferle would like the ability to obtain the documents in the event that services are no longer needed. Twp. Eng. Decker will look into the clause.

- 2.) LSRP Robert Schwarzkopf has the same language in his contract as the Twp. Engineer and the contract was not filled out properly.

Comm. Pfefferle noted that the contract is not acceptable as the contract is full of fill in the blanks. Comm. Pfefferle would like the contract filled out completely and resubmitted.

- 3.) Bond Counsel Anthony Panella Section H “Bond Counsel will provide legal services, prepare the necessary documentation and review and comment upon all documents in connection with any capital equipment lease financing or pooled loan financing undertaken by the Township through the Monmouth County Improvement Authority”.

Comm. Pfefferle would like confirmation that we are part of the Monmouth County Improvement Authority and that this contract is not for another Township.

Mayor Garay made a motion, seconded by Comm. Kiernan to have the Township go out for a Request for Professionals (RFP) for Township Auditor for 2018.

Roll Call: Aye: Garay, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

ENGINEER'S REPORT:

Township Engineer Decker provided the following report to the Township Committee:

Meetings Attended:

December 18, 2017

Land Use Board Meeting

Municipal Projects:

Park footbridge replacement

Building permits for the footbridge have been issued. Construction to commence in early Spring 2018 as weather permits.

Schoolhouse Road

Potential widening road from 18 feet to 22 feet and installation of stormwater collection system. NJDEP permits required as project is within the 300' riparian zone with potential wetlands. VCEA to prepare engineering budget for 2018
Municipal Aid application for Mount Salem Road is under review by NJDOT. Funding awards will be announced in early 2018.

2018 Municipal Aid

Active Site/Subdivision Construction Projects

Pond View Subdivision

The letter of credit for the maintenance guarantee has been approved

Alexandria Estates

Former site of construction trailer has been inspected. Recommendation for release of bond was issued on December 11, 2017.

Sky Manor Airpark

Copies of the latest subdivision plans and reports have been obtained from the Township files. Performance bond assignment change is under attorney review.

Active & Prospective Board Applications

Hemingway Estates

Resolution of approval was adopted at the December 18th meeting. Applicant's Engineer is preparing Final Amended Subdivision Plats for Township signatures

Cole Subdivision

Review for resolution compliance.

Miscellaneous

NJDEP Stormwater Management

As of January 1st, the new NJDEP Stormwater Management reporting requirements have gone into effect requiring annual maintenance reporting for stormwater management basins and additional education points. The Township should plan on contacting individuals and Homeowner Associations responsible for basin maintenance after the first of the year. Attached is a copy of the Authorization to Discharge under the R10 Tier B Municipal Stormwater General Permit No. NJ0141861 (Tier B MS4 Permit) issued by NJDEP on December 8, 2017.

Underground Fire Tank

Estimated budget for preparing plans, specifications and manage bidding process for a proposed underground fire tank at Alexandria Park is \$4,500.00.

CRS Rating System

Research requirements for Alexandria to enter FEMA's Community Rating System (CRS) program.

Tax Map Revisions

Tax map revisions are in progress per Tax Assessor.

Sign Ordinance Revisions

VCEA to prepare draft changes to Sign Ordinance per Land Use Board request.

Potential 2018 Road Projects

A cost estimate was prepared and provided to Glen Griffith for potential road improvement projects in 2018 including: Melita Road, Farmhouse Road, Oak Lane, Alexandria Road and Manor Way.

Conflict Engineer

As discussed with Committeepersons Pfefferle & Garay, our office had prepared and submitted various applications throughout the Township for Board approvals. Most of the projects have been completed, however a few still remain. One project for Palmyra Farms, LLC required the installation of a paved driveway off of Creek Road (Block 24, Lot 20). The driveway has recently been paved and in need of a final inspection.

Ordinance §89-16C requires that the Municipal Engineer inspect the constructed driveway for compliance with the driveway permit. Unfortunately as the original design engineer and surveyor, we are conflicted from conducting the inspection on the Township's

behalf.

We recommend that the Township engage Ted Bayer, PE of Bayer –Risse Engineering Inc. in Hampton to serve as the conflict engineer. Mr. Bayer has performed these services in other municipalities that we represent and currently serves as the Lebanon Township Engineer. If the Committee wishes we can contact Mr. Bayer to coordinate the inspection.

Township Engineer Decker noted that on December 8th the New Jersey Department of Environmental Protection (NJDEP) made two main updates to Stormwater Management Guidelines. The two changes that impact Alexandria Township/Tier B are:

- 1.) The point system has increased from 10 points to 12 points. There are five different sections to choose points from and the Township needs to choose in three different categories. Twp. Eng. Decker will put together a list of points that the Township has earned in past years.
- 2.) The NJDEP will be requiring reporting in 2018 on existing stormwater basins. The Township will need to determine who owns and maintains the basins. The Township will need to identify basins that were created from 2004 to present. The residents who have these basins on their property need to be notified and need to provide the Township with proof of maintenance.

Township Engineer Decker further noted that the NJDEP is starting to audit municipalities. Comm. Pfefferle requested that the NJDEP be contacted and that they update the Township's mailing address.

Township Engineer Decker explained to the Township Committee that prior to being appointed as Township Engineer he did private work and there maybe times where a conflict arises. Bayer-Risse Engineering can be asked to come in if there is a conflict. The hourly rate would be the same. Township Engineer Decker can reach out to Bayer-Risse Engineering. Comm. Pfefferle made a motion, seconded by Comm. Kiernan to authorize Township Engineer Decker to reach out to Conflict Engineer Bayer-Risse on behalf of Alexandria Township.

Roll Call: Aye: Garay, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

APPROVAL OF MINUTES:

- December 13, 2017 Twp. Committee Meeting
- December 13, 2017 Executive Meeting
- December 27, 2017 Twp. Committee Special Meeting

Minutes were tabled for approval at the next Township Committee meeting on February 14, 2018.

PUBLIC COMMENT ON GENERAL MATTERS:

None

CORRESPONDENCE/ANNOUNCEMENTS:

- Alexandria Township will be providing electronic recycling to its residents in 2018. On the 3rd Saturday in May and the 3rd Saturday in October residents can bring TV's and computers for disposal.

The next Township Meeting will be on Wednesday, Jan 24, 2018 to approve the Bill List for the month of January.

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to go into Executive Session. (Time 8:18 PM.)

Roll Call: Aye: Garay, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

Open Public Meetings Act RESOLUTION- Executive Session

WHEREAS, N.J.S.A. 2:4-12, Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist:

NOW, THEREFORE, BE IT RESOLVED by the Township of Alexandria, County of Hunterdon, State of New Jersey, as follows:

1. The public shall be excluded from discussion of the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:

_____ A confidential or excluded matter under Federal or State Law or Court Rule.

_____ A matter involving information that may impair the Township’s rights to receive funds from the United States Government.

_____ A matter constituting an unwarranted invasion of an individual’s privacy rights.

_____ Collective Bargaining Agreement or negotiation of the Agreement.

 X Matters involving the purchase, lease or acquisition of real property with public funds which it could adversely affect the public interest if discussion were disclosed.

Mt. Laurel Housing

_____ Tactics and techniques to protect the safety and property of the public, including investigations of violations or potential violations of the law.

 X Pending or anticipated litigation or contract negotiations in which the public body is or may become a party.

Delaware River Tubing

 X Matters falling within the attorney-client privilege.

NJ Clown Farm

 X Personnel matters involving a specific employee or officer of the Township.
Township Committee Meetings

**Seasonal Snow Plow Truck Driver
Additional Court Assistance “Runner”**

_____ Deliberations of the Township occurring after a public hearing that may result in the imposition of a specific penalty or suspension or loss of a license or permit.

3. It is anticipated at this time that the above matter will be made public: at the conclusion of the litigation and at such time as attorney client confidentiality is no longer needed to protect confidentiality and litigation strategy.
4. The executive session minutes will be placed on file in the township clerk’s office, and will be available to the public as provided for by New Jersey law.
5. This Resolution shall take effect immediately.

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to return to Public Session.

Roll Call: Aye: Garay, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

EXECUTIVE SESSION:

The following matters were discussed in Executive Session:

- Delaware River Tubing

Twp. Engineer Decker went to the site as requested by the Township Committee and noted that there are still pending items that need to be rectified. One of these items is that the temporary concrete barriers that were erected have not been removed. These barriers are to be removed at the end of each season. Comm. Kiernan requested that Zoning Officer Mullin send a letter to DeSapio regarding the operation violations of Delaware Tubing.

- Mt. Laurel Housing

Township Administrator/Clerk Bobrowski to send an email out to Twp. Planner Banisch to remind him to set up a calendar of deadline dates so that the Township can satisfy the requirements of the Fair Share Housing Agreement.

- Clown Farm

Mr. Burger must show that he has permission from the adjoining property owners on the private driveway easement to access the private driveway easement for his “Clown Farm”. Neighboring resident, Mrs. Rosenfield presented the Township with a letter stating that she is the majority owner of the land that the driveway access easement sits on and does not give permission for the “Clown Farm” to use the driveway access easement for commercial use and condoned the tractor trailer that was used as a sign at the edge of her property. The Burger Farm was granted Commercial Farm status but the activities of the NJ Clown Farm were not approved by the Hunterdon County Ag Board to date. Mr. Burger must first acknowledge the issues of the driveway easement and has 90 days to comply and report back to the Mediator before anything further can be acted on.

- Seasonal Plow Truck Driver

Interviews will be on January 10th starting at 6:00 PM at the DPW garage. Comm. Pfefferle and DPW Foreman Griffith will be present.

- Additional Court Employee “Runner”

The Township Committee will not move forward with an additional court employee.

MOTION TO ADJOURN

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to adjourn.

Roll Call: Aye: Garay, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

Meeting Adjourned at 8:58 PM.

**Respectfully Submitted:
Michele Bobrowski, RMC
Township Clerk**

I hereby certify that I have reviewed these Minutes of the Township Committee Meeting of January 3, 2018 and certify that said Minutes were approved unanimously by the Township Committee on the 14th day of February 2018.

Michelle Garay, Mayor

Dated: _____