

**ALEXANDRIA TOWNSHIP SPECIAL COMMITTEE MEETING
MINUTES
September 28, 2015**

This meeting was advertised in the Hunterdon County Democrat and notice posted in the Alexandria Township Municipal Offices as required by the Open Public Meetings Act.

Meeting Called to order at 6:00 PM.

ROLL CALL: Committeeman Pfefferle, Mayor Abraham and Attorney Dragan were present.

FLAG SALUTE:

OLD BUSINESS:

- Resolution 2015-072 Purchase of Two County Trucks
Comm. Pfefferle made a motion, seconded by Mayor Abraham to approve Resolution 2015-072. **ROLL CALL: Comm. Pfefferle; yes, Mayor Abraham, yes.**

**RESOLUTION 2015 – 072 TOWNSHIP OF ALEXANDRIA, COUNTY OF
HUNTERDON, STATE OF NEW JERSEY FOR THE PURCHASE OF COUNTY
TRUCKS**

WHEREAS, the County of Hunterdon has passed a resolution authorizing the Clerk of the Hunterdon County Board of Chosen Freeholders to sell two trucks to the Township of Alexandria; and

WHEREAS, the Township of Alexandria has sufficient funds to pay for the following two trucks:

- 1.) Truck # 52 1998 Ford L8513 w/Thiele dump body, 8.3 L, 250 HP Cummins Diesel Allison MD3550P-WR 5spd. 97, 672 miles/5477 hours (\$9,000.00)
- 2.) Truck # 88 2001 Sterling L8513 w/Thiele dump body 8.3 L, 285 HP Cummins Diesel, Allison MD356-P 5spd. 95,000 miles, 5600 (\$10,000.00); and

WHEREAS, this is an inter-government sale and quotes are not required

NOW THEREFORE BE IT RESOLVED, that the Chief Financial Officer is hereby directed to prepare a check to the County of Hunterdon for the purchase of two trucks as per the resolution of the County of Hunterdon dated September 15, 2015.

Paul Abraham, Mayor

ATTEST:

Michele Bobrowski, RMC
Township Clerk

NEW BUSINESS:

None

BILL LIST:

Comm. Pfefferle made a motion, seconded by Mayor Abraham to approve the following two bills. **ROLL CALL: Comm. Pfefferle; yes, Mayor Abraham, yes.**

- 1.) Hunterdon County Purchase of Two County Trucks \$19,000.00
- 2.) Somerset County Municipal Clerks Association Meeting \$35.00

COMMENTS FROM THE FLOOR:

Open Space Chair Bill Fritsche will be meeting with Beneduce Vineyards and their Attorney to see if their business falls into an area of “Right to Farm”. A complaint was received that the vineyard wasn’t following zoning regulations. The vineyard hasn’t filed for “Right to Farm” and the Hunterdon County Agriculture Board wants the municipality to handle the matter at the local level. The Township received a complaint for noise but upon investigation the noise was not produced by the vineyard that evening but from a private residence. The next step would be for the vineyard to go before the Board of Adjustment for future activities being held at the vineyard not in compliance with zoning regulations. Chair Fritsche asked that Fire Prevention Officer Mike Giannone look at the buildings there for lack of exit signs. Township Attorney Dragan stated that the vineyards activities may fall under direct marketing and that the State has documentation providing guidance on this matter. If the primary purpose is to drink wine then it relates to the use. Chair Fritsche will meet with the vineyard to see what direction they are moving forward.

Comm. Pfefferle made a motion, seconded by Mayor Abraham to move into Executive Session. . **ROLL CALL: Comm. Pfefferle; yes, Mayor Abraham, yes.**

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.

- 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.
 - Tactics and techniques to protect the safety and property of the public, including investigations of violations or potential violations of the law.
 - Pending or anticipated litigation or contract negotiations in which the public body is or may become a party.
(Mt. Laurel Housing)
 - Matters falling within the attorney-client privilege.
 - Personnel matters involving a specific employee or officer of the Township.
(Vacancy of Township Committee)
 - 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 Mayor Abraham to return to Public Session. **ROLL CALL: Comm. Pfefferle, yes; Mayor Abraham, yes.**

EXECUTIVE SESSION:

The following matters were discussed in Executive Session:

- Mt. Laurel Housing:

Township Committee reviewed the amended Municipal Shared Services Defense Agreement that several municipalities entered into authorizing the retention of Rutgers University and its Principal Investigator, Dr. Robert Burchell to perform certain tasks outlined in the research agreement. Due to Dr. Burchell falling ill, Econsult Solutions, Inc. will move forward with the research agreement.

- Committeeman Vacancy:

Township Committee reviewed the three nominees submitted by the Alexandria Township Republican Municipal Committee. The three nominees were:

- 1.) Michelle Garay
- 2.) Sonya Sellers
- 3.) Donald T. Wilson

The Township Committee will appoint Nominee Michelle Garay in Public Session.

MOTIONS FROM EXECUTIVE SESSION:

Comm. Pfefferle made a motion, seconded by Mayor Abraham to approve the Amended Municipal Shared Service Agreement. **ROLL CALL: Comm. Pfefferle; yes, Mayor Abraham, yes.**

Comm. Pfefferle made a motion, seconded by Mayor Abraham to approve Resolution 2015-070. **ROLL CALL: Comm. Pfefferle; yes, Mayor Abraham, yes.**

RESOLUTION 2015-070 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AMENDING A SHARED SERVICES AGREEMENT TO RETAIN AN EXPERT FOR ANTICIPATED COAH LITIGATION

WHEREAS, the Alexandria Township Committee of the Township of Alexandria entered into the Municipal Shared Services Defense Agreement (“MSSDA”) for the purpose as set forth therein, which included retaining a common expert in the Declaratory Judgment action (“Litigation”) that was filed in accordance with In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (“Decision”); and

WHEREAS, the MSSDA identified Dr. Robert Burchell, a distinguished professor at Rutgers University, as the expert to be retained; and

WHEREAS, Dr. Burchell became ill and has been unable to complete the obligations under the Research Agreement as set forth in the MSSDA; and

WHEREAS, as a result, Rutgers University has exercised its right to terminate the Research Agreement as permitted under its terms; and

WHEREAS, the MSSDA requires modification to allow the members to retain one or more alternative experts, consultants and/or other professionals for the Litigation; and

WHEREAS, an Amendment to the MSSDA (“Amendment”) has been prepared to effectuate the modification; an

WHEREAS, the Alexandria Township Committee of the Township of Alexandria recognizes that the Litigation requires immediate action and may require further expedited actions by its counsel determined to be necessary and appropriate; and

WHEREAS, the Alexandria Township Committee of the Township of Alexandria has determined that it is in the best interests of the citizens of the Township of Alexandria to approve the Amendment, and/or to affirm and ratify the Amendment, and to authorize their designated counsel to take actions on behalf of the municipality with

regard to the multiplicity of issues raised and associated with the continued implementation of the MSSDA;

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

1. The terms and conditions of the Amendment to MSSDA attached hereto are hereby approved, and/or ratified and confirmed.
2. The Mayor and Township Clerk or Deputy Clerk, be and are hereby authorized to execute the aforesaid Amendment.
3. The Alexandria Township Committee of the Township of Alexandria hereby authorizes Jeffrey R. Surenian, Esq., to execute an agreement on behalf of Alexandria Township with Econsult Solutions, Inc.

The Alexandria Township Committee of the Township of Alexandria hereby authorizes Jeffrey R. Surenian, Esq., to execute on behalf of Alexandria Township with the approval of the Alexandria Township's designated counsel such other agreement(s) as are advisable to effectuate the purposes of the MSSDA as amended.

4. The Alexandria Township Committee of the Township of Alexandria further authorizes its designated counsel to approve such other changes to the MSSDA as may be necessary to effectuate its purposes, and to take action on behalf of the municipality with regard to the multiplicity of issues raised and associated with the implementation of the MSSDA provided that the action will not require the municipality to appropriate and commit any additional funding for the MSSDA.

In the event such changes and actions require the municipality to appropriate and commit any additional funding for the MSSDA, the Township of Alexandria shall only be responsible for such funding if it authorizes same.

5. If additional monies are needed to effectuate the intent and purpose of the MSSDA, no such services shall be authorized by designated counsel without further action from the Township.

6. This Resolution shall take effect immediately.

Paul Abraham, Mayor

ATTEST:

Michele Bobrowski, RMC
Township Clerk

Comm. Pfefferle made a motion, seconded by Mayor Abraham to nominate Michelle Garay for Township Committee. **ROLL CALL: Comm. Pfefferle; yes, Mayor Abraham, yes.**

MOTION TO ADJOURN

Comm. Pfefferle made a motion, seconded by Mayor Abraham to adjourn. **ROLL CALL: Comm. Pfefferle, yes; Mayor Abraham, yes. Meeting Adjourned at 6:39 PM.**

Respectfully Submitted:
Michele Bobrowski, RMC
Township Clerk

I hereby certify that I have reviewed these Minutes of the Township Committee Meeting of September 28, 2015 and certify that said Minutes were approved unanimously by the Township on the 14th day of October 2015.

Paul Abraham, Mayor

Dated: _____