



DELAWARE TOWNSHIP COMMITTEE
REGULAR MEETING MINUTES
September 27, 2021 7:30 PM
In Person

Mayor Waltman called the regular meeting of the Delaware Township Committee to order on September 27, 2021 at 7:30 PM. Mayor Waltman announced that this meeting is called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was faxed to the Hunterdon County Democrat, Trenton Times, Courier News and the Star Ledger, was posted on the bulletin board in the Municipal Building and filed with the Township Clerk on September 16, 2021.

PLEDGE OF ALLEGIANCE

Mayor Waltman led those in attendance in the pledge to the nation's flag.

ROLL CALL

Present: Mayor Waltman, Deputy Mayor Joe Vocke, Committee Members Charles Herman and Susan Lockwood along with Deputy Township Clerk Tiffany Crivelli, CFO Diane McDaniel, Township Engineer(s) Paul Sterbenz and Adam Wisniewski.

Absent: Committeeman Daniel Kwasnik, Township Clerk Maria Andrews, Township Attorney Joseph Tauriello

RESOLUTIONS

Delaware Township Resolution #2021-78
Tailgating at Community Day

WHEREAS, the Delaware Township Recreation Commission has requested permission to have tailgating by adults of legal drinking age between the hours of 4:00 pm and 8:00 pm at the Community Day/Block Party at The Village Green, 563 Rosemont Ringoes Road, Sergeantsville, NJ on October 2, 2021.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Delaware that permission is granted to allow tailgating at the Community Day at The Village Green on October 2nd, 2021 and permit adults of legal drinking age to transport and consume alcoholic beverages to be limited to beer and/or wine, and whom shall not provide, disseminate, or distribute any alcoholic beverage to an under-age person.

ATTEST:

Tiffany Crivelli, Deputy Township Clerk

James Waltman, Mayor

Approved: September 27, 2021

Delaware Township Resolution #2021-79
Emergency Appropriation Resolution Pursuant to N.J.S.A. 40A:4-49

WHEREAS, an emergency has arisen with respect to various capital repairs including expenses for the repair of roads or other public property needed as a result of damage incurred by Hurricane Ida and, no adequate provision was made in the 2021 budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above; and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution, is \$950,000, and three (3) percent of the total current and utility operating appropriations in the budget for 2021 is \$118,498; and

WHEREAS, the foregoing appropriation together with prior appropriations exceeds three (3) percent of the total current and utility operating appropriations in the budget for 2021; and

WHEREAS, the Township of Delaware, in the County of Hunterdon, New Jersey has deemed an emergency appropriation to be necessary and such appropriation is conforming to the provisions of N.J.S.A. 40A:4-49.

NOW, THEREFORE, BE IT RESOLVED, by the Delaware Township Committee that in accordance with N.J.S.A. 40A:4-49, petition be made to the Director of the Division of Local Government Services for permission to exceed the statutory limitation of three (3) percent for the creation of an emergency appropriation for the purpose set forth in the preamble in accordance with the following:

1. An emergency appropriation is hereby made for various capital repairs needed as a result of damage incurred by Hurricane Ida in the amount of \$950,000, or such lesser portion thereof as shall be approved by the Director of the Division of Local Government Services.
2. An emergency note not in excess of \$950,000 is hereby authorized to be issued pursuant to N.J.S.A. 40A:4-51.
3. The emergency note authorized herein, if issued, shall be executed by the Mayor and the Chief Financial Officer of the Township and attested by the Township Clerk.
4. The Chief Financial Officer of the Township is hereby delegated the authority to sell and award the note, if any, and such notes, if issued, may be renewed from time to time by such Chief Financial Officer provided that any such renewals shall be payable on or before December 31, 2022.
5. Said appropriation shall be provided in full pursuant to a bond ordinance (including the purposes described herein) to be introduced and finally adopted subsequent to the adoption of this resolution and prior to the adoption of the Township's 2022 municipal budget.

6. That the statement of the Chief Financial Officer required by the Local Finance Board has been filed with the Clerk and a copy transmitted to the Director of the Division of Local Government Services along with two (2) certified copies of this resolution. (Form A)

BE IT FURTHER RESOLVED, that this resolution shall take effect in accordance with law; provided, that permission to exceed the statutory limitation of 3 (three) percent has been granted by the Director of the Division of Local Government Services.

ATTEST:

Tiffany Crivelli, Deputy Clerk

James Waltman, Mayor

CERTIFICATION

I, Maria Andrews, Clerk of the Township of Delaware, in the County of Hunterdon, New Jersey do hereby certify that the foregoing is correct and true copy of Resolution #2021-79 adopted by the Township Committee of the Township of Delaware, in the County of Hunterdon, in the State of New Jersey on September 27, 2021.

Tiffany Crivelli, Deputy Clerk

NEW BUSINESS/OTHER

Mayor Waltman stated that he contacted OEM who advised that individual assistance from FEMA has slowed, but that anyone can still contact FEMA or go to the FEMA Desk located in Lambertville at the Fire Department.

Mayor Waltman noted that public assistance was sent to FEMA on 9/7/2021 and as of 9/26/2021 was still in pending status.

Mayor Waltman also noted that the County and State are discussing a Blue Acre buyout on Woreman Road and thanked Kathy Klink for assisting with the residential garbage service issues on Lower Creek Road.

Township Engineer Sterbenz advised that on 9/14/2021, he along with Township Engineer Wisniewski, and DEP Deputy Commissioner Vince Mazzei, had a field meeting along the banks of the Wickecheoke Creek and noted the stream banks were devastated and the properties were very exposed.

Township Engineer Sterbenz stated that the first phase is to secure a contractor and material to reinforce the bank and general cleanup of the asphalt for a temporary repair.

Township Engineer Sterbenz noted the stream corridor has deteriorated over the years and caused other deposits in the stream which is causing a higher velocity of flow towards Lower Creek Road. Township Engineer Sterbenz stated the long term plan would be to remove the deposited material

and create a more natural bank, adjust the alignment of the bank so it does not continue to cut into the existing bank, and create a natural barrier for better erosion protection in lieu of baskets.

Township Engineer Sterbenz noted there are rules and regulation on the time of year regarding what can and cannot be done to the stream and banks due to Green Acres. DEP Deputy Commissioner Mazzei, stated he was looking into the timing restrictions.

OPEN TO THE PUBLIC

Mayor Waltman opened the floor to public comment for any items listed on the agenda.

The following residents expressed some concerns and recommendations regarding the damages to Lower Creek Road and the surrounding area:

Nick Ventura, 222 Lower Creek Road
Sue Neiber, 130 Lower Creek Road
Vince, Mazzei, 168 Lower Creek Road
Gail Conover, 60 Covered Bridge Road
Mark Gnudsen, 124 Lower Creek Road
John Pearlman, 106 Lower Creek Road
Virginia Fiess, 226 Lower Creek Road
John Fiess, 226 Lower Creek Road
Gary Woodward, 122 Lower Creek Road
Gabriel Loria, 212 Lower Creek Road
Richard Todd, 184 Lower Creek Road
Jan Robbins, 122 Lower Creek Road

The following residents expressed some concerns and recommendations regarding the damages to Sandbrook Headquarters Road and the surrounding area:

Ellen Godkin, 120 Sandbrook Headquarters Road
John Orrok, 100 Sandbrook Headquarters Road
Susan Reese, 117/119 Sandbrook Headquarters Road
Joanne Kratzer, 89 Sandbrook Headquarters Road

Hearing no other members of the public speak up, Mayor Waltman closed the floor to public comment.

EXECUTIVE SESSION: Approval of Resolution #2021-80: To Enter into Executive Session for the Purpose of Discussing Contracts and Subjects Falling Under Attorney-Client Privilege – *The discussion is expected to take approximately 30 minutes. Action may be taken.*

A motion by Herman, seconded by Lockwood to approve Resolution #2021-80 and enter into Executive Session was unanimously approved by roll call vote.

Herman: Yes, Kwasnik: Absent, Lockwood: Yes, Vocke: Yes, Waltman: Yes

Resolution #2021-80

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

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

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

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows: Contracts, Personnel Matters, and subjects falling under Attorney-Client privilege. The discussion is anticipated to take approximately 30 minutes. Action may be taken.
3. It is intended at this time that the above stated subject matter will be made public when the matter has been resolved.
4. This resolution shall take effect immediately.

Tiffany Crivelli, Deputy Township Clerk

A motion by Herman, seconded by Lockwood to return to Open Session was unanimously approved by voice vote.

It was noted for the record that the Committee was in Executive Session from 8:59 PM to 9:09 PM.

ADJOURNMENT

A motion by Herman, seconded by Vocke to adjourn the meeting was unanimously approved by voice vote.

The meeting adjourned at 9:10 PM.

Tiffany Crivelli, Deputy Clerk

James Waltman, Mayor

Approved: November 8, 2021