

**MINUTES OF KNOWLTON TOWNSHIP
WARREN COUNTY, NEW JERSEY
PUBLIC MEETING MINUTES
September 27, 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 7:03 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 Shippis, Committeeman Van Horn and Mayor Starrs

Also present was Township Engineer Ted Rodman, DPW Supervisor Brian Peck and Township Attorney Richard Cushing (via conference call for Executive Session and Ordinance 2018-10)

EXECUTIVE SESSION

Motion was made by Mayor Starrs, second by Deputy Mayor Cuntala and approved by an all-in-favor to go into Executive Session at 7:04pm.

Resolution 2018- 133 Authorizing an 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. Potential 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 to return to public session at 7:33pm.

PUBLIC COMMENT

Resident Mark Klouda asked if the township could put some money aside for the Butterfly Garden to make it even better. Deputy Mayor Cuntala will talk to Recreation Director Dennis Lembeck to see if there is any money that recreation could give toward the Butterfly Garden.

Resident William Clifford explained that Koeck Road does have Wi-Fi but the houses at the end of the road cannot be hooked on to it. Resident Teresa Ferguson, who was also present at the meeting, reached out to Mayor Starrs explaining this. –Mayor Starrs explained that she had a meeting with the CenturyLink representatives and brought this problem to them. They promised an update soon.

ORDINANCE

Introduction

2018-10 An Ordinance Amending Chapter 11, Article 35.1 the Code of the Township of Knowlton to Prohibit the Cultivation, Processing, or Dispensing of Marijuana within the Township—Tabled.

Mayor Starrs explained that at the last township meeting an ordinance was introduced that created a moratorium, which basically banned it in the township until the township knew what the state is doing. It was discovered after that meeting that there may be problems on how the ordinance was worded. Discussion between the committee and township attorney took place regarding putting zoning restrictions on medical marijuana and banning recreational. Majority of the committee would like to ban recreational marijuana and restrict medical marijuana to certain zones. Another Ordinance will be prepared by the township attorney to be introduced at the following meeting.

RESOLUTIONS

2018-123- Resolution Approving Settlement Agreement and General Release between the Township of Knowlton et. al. and the Estate of Patton et. al.

Agreement and General Release between the Township of Knowlton (and Individually named Defendants) and The Estate of Lisa Patton (“Settlement Agreement”); and

WHEREAS a copy of the Settlement Agreement is attached hereto as Exhibit A; and

WHEREAS, it is in the best interest of the Township of Knowlton to finally and fully amicably resolve all litigation and claims brought by Lisa Patton and the counterclaim brought against her by the

Township.

NOW THEREFORE BE IT RESOLVED, the Township Committee of Knowlton hereby authorizes the Mayor and Clerk to execute the Settlement Agreement attached hereto as Exhibit A

Motion was made by Deputy Mayor Cuntala, second by Committeeman McNinch and approved by a roll call vote: Cuntala—yes, McNinch—yes, Shipp—yes, Van Horn—abstain, Starrs—yes to Resolution 2018-123

(At this time Attorney Cushing ended his conference call)

DEPARTMENT REPORTS

DPW Supervisor Brian Peck

Mr. Peck presented the Committee with a spreadsheet with a list of township roads rating them from 0 to 5 on which roads need to be paved first. 0 being the worst. Mr. Peck plans on roadside trimming starting in November.

Discussion regarding completing road repairs on Hemlock Rd. Due to the increased price of asphalt and crude oil, Hemlock will cost up to \$28,000 more than originally expected. There is approximately 9 weeks of work that still needs to be done to Hemlock. Mr. Peck does not feel comfortable with having Station/ Kill Rd done at this time. Grant application was submitted to have Stark Road paved next year. Mr. Peck received 4 quotes to have the apron done in front of the new salt shed, which will be approved by resolution at the next meeting. Mr. Peck was not able to do any tar & chipping this year and would like the committee to cancel \$30,000 out of his budget and put it back into general funds and next year for one time only put it back into the DPW operation fund to be used toward more tar & chipping which will be done by resolution for next meeting.

Township Engineer Ted Rodman

Polkville Road milling will start on October 9th and paving will start on October 15th. Kill Rd. is scheduled to start October 16th. Committeewoman Cuntala will organize with the Elementary School regarding school busses. Simpson Rd. project is finishing up the final touches on the punch list items.

RESOLUTIONS

2018-126- Resolution of Support for the JCP&L Reliability Plus Application to the NJ Board of Public Utilities

WHEREAS, Knowlton Township recognizes that reliable electric service plays a crucial role in the daily lives of Township residents; and

WHEREAS, Knowlton Township recognizes that reliable electric service also is critical to the local businesses within our community, and drives commerce in our Township and across the region; and

WHEREAS, Knowlton Township supports efforts to enhance the reliability and resiliency of the electric distribution system against severe weather and reduce the number of customers affected by outages and shorten the duration of outages; and

WHEREAS, Knowlton Township has been informed that Jersey Central Power and Light Company's (JCP&L) Reliability Plus application includes approximately \$400 million in targeted investments above and beyond its regular annual investments to enhance JCP&L's service reliability and resiliency;

and

WHEREAS, Knowlton Township has been informed that the JCP&L plan includes nearly 4,000 enhancements that will help the reliability and resiliency of overhead and underground distribution lines, as well as new equipment to reduce the number of customers affected by outages and shorten the duration of outages; and

WHEREAS, Knowlton Township has been informed that the JCP&L plan also outlines additional vegetation management to reduce the potential for tree damage, which is the primary cause of outages during severe storms in JCP&L's service area; and

WHEREAS, Knowlton Township confirmed at a meeting with JCP&L representatives on September 17, 2018, that approval of the Reliability Plus Plan will result in the installation of 24 Tripsaver "smartfuse" boxes that will aid in the restoration of power outages specifically in Knowlton Township; and

WHEREAS, Knowlton Township confirmed at the same meeting that in addition to more aggressive 4-year vegetation management, areas demonstrating continued reliability difficulties such as Knowlton will receive additional "hazard and ash tree trimming" on an as-needed two-year cycle; and

WHEREAS, Knowlton Township has been informed that JCP&L estimates the increase on the monthly bill for an average residential customer would be .26 cents per month and increase every 6 months over the four-year period up to a maximum of \$1.89 per month; and

WHEREAS, throughout the four-year rollout and prior to the scheduled price increases, the Board of Public Utilities will conduct regular public hearings to ensure that improvements in reliability are occurring as planned.

NOW, THEREFORE, BE IT RESOLVED that Mayor and Council of Knowlton Township hereby finds and declares:

That JCP&L's Reliability Plus will benefit residents and businesses in Knowlton Township and throughout Warren County by making JCP&L's electric distribution system during storm and non-storm events more resistant to outages and enabling the system to recover more quickly when outages do occur and increase the distribution system's resiliency, operational flexibility, safety and security.

The Knowlton Township Committee expresses its support for the New Jersey Board of Public Utilities to approve the Reliability Plus Plan.

Motion was made by Mayor Starrs, Deputy Mayor Cuntala and approved by an all-in-favor to Resolution 2018-126. Mayor Starrs explained that Knowlton Township has been approved to receive 24 SmartFuse boxes.

2018-127 Resolution Authorizing the Mayor to Execute Letter Allowing T-Mobile to Perform Modifications at a Cell Tower Pursuant to a Lease Agreement

WHEREAS, the Township leases certain property located at 648 State Highway 94, Columbia, New Jersey to Omni point Communications, Inc. (now T-Mobile USA Tower, LLC) for the operation of a cell tower pursuant to a Lease Agreement date May 1, 1998;

WHEREAS, pursuant to Paragraph 8© of the Lease Agreement dated May 1, 1998, T-Mobile (through CCTMO, LLC) has requested permission to perform modifications as set forth in a letter dated August 21, 2018 which is attached hereto; and

WHEREAS, the modifications are specifically to install a generator and concrete pad inside the existing compound area and no other work will be performed on the tower and no other ground changes will occur; and

WHEREAS, T-Mobile has requested that the Township indicate its consent to such modifications by signing the above-referenced letter; and

WHEREAS, the Township Engineer has reviewed the proposal and find that it does not conflict with the Lease Agreement;

WHEREAS, the Township of Knowlton requested an audit in July 2018 by Crown Castle, the parent company of T-Mobile, to analyze whether rents paid for the cell tower are accurate; and

WHEREAS, the audit found the account to be balanced and rents to have been paid appropriately to Knowlton Township; and

WHEREAS, once the Township signs the above-referenced letter, T-Mobile must still apply for and receive engineering review, all applicable zoning permits, and all applicable building permits; and

WHEREAS, if equipment of a subtenant or co-locator is added to the cell tower, any such sublease agreement shall be subject to review by the Township Attorney.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, Warren County New Jersey, that they Mayor is hereby authorized to execute the attached letter consenting to modification by T-Mobile of cell tower equipment at 648 State Highway 94, Columbia, New Jersey

Motion was made by Deputy Mayor Cuntala, second by Committeewoman Shipps, and approved by an all-in-favor to Resolution 2018-127.

2018-128 Resolution of Thanks to Knowlton Township Fire & Rescue

WHEREAS, the Township Committee would like to express our appreciation to the volunteers of Knowlton Township Fire & Rescue Company #1, Station 41, and honor them for their dedicated service to the residents of Knowlton; and

WHEREAS, the company currently consists of 15 active members who have responded to approximately 230 calls since the start of 2018; and

WHEREAS, Fire & Rescue Company #1 has responded to official calls ranging from motor vehicle accidents, structure fires, car fires, and hazardous materials spills, to medical emergencies and rescuing injured hikers; and

WHEREAS, in addition to official 911 calls, company members have aided the community by assisting with non-emergency issues such as crowd control on voting days and assisting in clearing roads of downed trees during a series of winter storms; and

WHEREAS, company members have provided traffic assistance for events held by nonprofit organizations and fostered a sense a community with traditions like the annual Santa run; and

WHEREAS, the members of the company are unpaid and have often made these contributions to the residents of Knowlton at the expense of time with their own families and full-time jobs; and

WHEREAS, Knowlton Township Fire & Rescue's service has been marked by an exemplary dedication to the best interests of the community, and its members contributed significantly to the health, safety and comfort of Knowlton residents.

NOW, THEREFORE, BE IT RESOLVED, the Knowlton Township Committee expresses its sincere appreciation to Knowlton Township Fire & Rescue for their unwavering dedication to our community.

PROCLAIMED this 27th day of September 2018.

Motion was made by Mayor Starrs, second by Deputy Mayor Cuntala and approved by an all-in-favor to Resolution 2018-128.

2018-129-Contracting for Professional Services Without Competitive Bidding in Accordance with the Local Public Contracts Law (N.J.S.A. 40A-11.1 Et Seq.)

WHEREAS, the Mayor and Township Committee of the Township of Knowlton are desirous of attaining professional services for the betterment of the Township of Knowlton; and

WHEREAS, there exists a need for appraisal of Block 47, Lot 7 (also know as the Kitchen Farm)

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the awarding of contracts and appointments for professional services without competitive bidding must be publicly advertises:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, Warren County, New Jersey, that the services of Norman J. Goldberg, INC. at a cost of \$1,950.00 and the services of Joshua D. Mackoff, LLC at a cost of \$2,000.00 be retained.

BE IT FURTHER RESOLVED that a copy of this Resolution and contract is available for public inspection in the office of the Municipal Clerk and that this resolution be published in the official newspaper as required by law.

Motion was made by Committeeman McNinch, second by Mayor Starrs and approved by a roll call vote: Cuntala—yes, McNinch—yes, Shipp—yes, VanHorn—yes, Starrs—yes to Resolution 2018-129

2018-130- Resolution Approving the Issuance of a Raffle License to North Warren Lions Club to Conduct a Casino Night/ Tricky Tray November 3, 2018

WHEREAS, the North Warren Lions Club has applied for a raffle license to conduct a raffle on November 3, 2018 at the Brook Hollow Winery consisting of New Jersey Legalized Games of Chance Control Commission application #18-12 & #18-13; and

WHEREAS, the proper fees have been filed with the application, and the findings and determinations by the Municipal Clerk have determined that this organization is qualified to conduct raffles.

THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, Warren County New Jersey, that approval is hereby given for the issuance of raffle license #18-12 & #18-13 to the North Warren Lions Club.

Motion was made by Deputy Mayor Cuntala, second by Mayor Starrs and approved by an all-in-favor to Resolution 2018-130. Committeeman Van Horn abstained.

2018-131 Award State Contract – Crushed Stone

WHEREAS, the Township of Knowlton wishes to purchase approximately 2,416 tons of Stone DGA for Polkville Road; and

WHEREAS, the State of New Jersey has awarded State Contract Number T0142 Contract #87732 to Eastern Concrete Materials Inc., Saddle Brook, NJ; and

WHEREAS, the Chief Financial Officer has certified that funds are available thru Ordinance 2016-16 Improvements to Various Roads thru a New Jersey Department of Transportation Grant;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, County of Warren, and State of New Jersey that the Purchase of approximately 2,416 tons of Stone DGA not to exceed the amount of \$33,000 is awarded to Eastern Concrete Materials Inc. 250 Pehle Avenue Plaza One Suite 503 Saddle Brook, New Jersey 07663

Motion was made by Mayor Starrs, second by Committeeman McNinch and approved by a roll call vote: Cuntala—yes, McNinch—yes, Shipp—yes, Van Horn—yes, Starrs—yes to Resolution 2018-131.

2018-132- 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 Deputy Cuntala, second by Mayor Starrs and approved by roll call vote: Cuntala—yes, McNinch—yes, Shipps—yes, Van Horn—yes, Starrs—yes to Resolution 2018-132.

OLD BUSINESS

CenturyLink Upgrades--Meeting on September 26, 2018

Mayor Starrs and mayors of surrounding towns met with the CenturyLink representatives regarding the promised upgrades. CenturyLink has installed 6 new boxes and upgraded one old box to increase Internet speeds in Knowlton. Residents within 3 miles of a box will see improvements. There have been long waits to get hooked up since there are only 3 technicians. Residents need to call the number on this sign near the box to get the faster speed. You will not know how much of an increase in Internet speed your home can get until the technicians come to hook up at your home.

JCP&L Response to Request for Smart fuse Boxes in Knowlton— discussed during resolutions

Open Space

Committeeman McNinch updated the committee on a farmland preservation project. Committeeman McNinch and former Committeemember Rene Mathez went to the Warren County Agriculture Board Meeting and the Board agreed to do one of Knowlton's farmland preservation projects. The county will cover the municipality's costs as well as half the cost of the appraisers and assessments.

Historic Commission Fall Festival and General Update

Committeeman McNinch announced that on October 7, 2018 the Historic Commission will be holding their Fall Festival.

Committeeman McNinch update the committee regarding the TAP grant that was awarded to the Historic Commission. Committeeman McNinch explained that there has been revision made to the Policy and Procedure manual recommend by NJDOT and Acting Clerk Shipps will be forwarding those provisions to the committee.

NEW BUSINESS

Senior Flu Shot luncheon — On October 5th from 1:00 -2:30 the Warren County Health Dept. will be sponsored free flu shots at the Knowlton Methodist Church. Lunch will be provided for anyone who comes.

Volunteer Applications — Motion was made by Deputy Mayor Cuntala, second by Mayor Starrs and approved by an all-in-favor to accept Joe Werner's application for Board of Adjustment. Committeeman McNinch abstained.

Wood Chipper Opening of Offers — 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 except Howard Manfra’s offer of \$2,500 for the Township’s used chipper. The chipper was advertised on the Township website.

CORRESPONDENCE

24th Legislators' Town Hall on October 19—Mayor Starrs stated that she will be attending the meeting.

League of Municipalities—Mayor Starrs would like to go to the League of Municipalities this year and they are asking for resolutions for consideration at the conference. Mayor Starrs asked about sending the Rockwall resolution down for consideration. Committee agreed.

APPROVAL OF MINUTES

September 10, 2018 Executive Session Minutes

Motion was made by Deputy Cuntala, second by Mayor Starrs and approved by an all-in-favor for the September 10, 2018 Executive Session Minutes. Committeeman Van Horn abstained.

September 10 2018 Public Session Meeting Minutes

Motion was made by Deputy Mayor Cuntala, second by Committeewoman Shipps and approved by an all-in-favor for the September 10, 2018 Public Session Meeting Minutes.

PUBLIC COMMENT

Resident Pam Rusweiler asked for State Police coverage to be address at the 24th Legislators’ meeting Ms. Rusweiler also explained that she was present at the Warren County Freeholders meeting and the Freeholders explained that they will do more signage on Decatur.

Resident Cheryl Klouda requested if there could be another meeting with Bill Hunt regarding the buyout. Mayor Starrs volunteered to help arrange it.

Motion was made by Mayor Starrs, seconded by Deputy Mayor Cuntala, and carried to adjourn tonight’s Township meeting at 9:21 p.m.

Respectfully submitted,
Kristin Shipps
Acting Municipal Clerk