

**TOWNSHIP COMMITTEE
May 10, 2022 MINUTES**

The Tewksbury Township Committee met at the Oldwick Manor, Oldwick Fire Company on the above date.

The meeting was called to order at 7:30 PM, roll call held and a quorum was established. Mayor Maranca presided.

Other officials in attendance were Township Committee members Dana Desiderio, Jean Frankel, Peter Melick, and William Voyce.

Jennifer Ader, Municipal Clerk; Shana Goodchild, Township Administrator; Justin Marchetta, Township Attorney; Stan Schrek, Township Engineer; Chief Barlow; and Mary Markiewicz, Acting CFO were in attendance.

There were approximately (7) seven members of the public in attendance.

1. Open Public Meetings Statement

Mayor Maranca opened the meeting by announcing that adequate notice of the meeting had been provided by posting a copy thereof on the Police/Administration Building bulletin board, transmitting a copy to the Hunterdon Review and the Hunterdon County Democrat, and filing with the Municipal Clerk, all on January 3, 2022.

2. Flag Salute

Those present stood and pledged allegiance to the American flag.

3. Public Participation

Mayor Maranca read a proclamation for achieving the Girl Scouts Gold Award to Tessa Maddaloni. Dr. Voyce made the motion to approve the proclamation, seconded by Mr. Melick. The proclamation was adopted. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

**PROCLAMATION
TO HONOR TESSA MADDALONI**

WHEREAS, Tessa Maddaloni, Girl Scouts of America, has attained the designation of Gold Award, Girl Scouting's highest award; and

WHEREAS, the Gold Award represents the culmination of over 80 hours of work on an important project to the individual; and is awarded to fewer than 6% of Girl Scouts annually; and

WHEREAS, Tessa Maddaloni's Gold Award project "Renovating Nature and Reading Center at Life Camp" focused on the different types of nature in New Jersey that campers would experience; and

WHEREAS, Tessa Maddaloni's project benefited the community and campers by creating environmental awareness of the different types of nature and representing African American Characters and History; and

WHEREAS, Tessa Maddaloni's project had her utilize skills that were used to put this project into action such as:

- 1.) Leadership-guiding people who were helping with the project;
- 2.) Time Management-when coordinating when to do what;
- 3.) Patience-as that is always needed

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4.) Love of nature

WHEREAS, Tessa Maddaloni's Gold Award Project gives her community and campers a sense of pride and enrichment of the diverse heritage of nature; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey hereby extends to Tessa Maddaloni, individually, collectively and with great pride, sincere congratulations for achieving this highest of Scouting awards which symbolizes the American ideal of good citizenship and civic responsibility; and

BE IT FURTHER RESOLVED that the Township Committee of the Township of Tewksbury wishes Tessa Maddaloni much success in all her future endeavors.

Andrea Maranca
Mayor

Paul Palo – requested that the Township Committee recognize Fulan Dafa Day with a proclamation of support. The Fulan Dafa Association of New Jersey hosts (9) nine practice sites across New Jersey and is recognized worldwide. The peaceful spiritual practices of Fulan Dafa are taught through volunteers. The practices consist of moral teachings of the principles of truth, compassion, and forbearance.

Debra Dillon – informed the Township Committee that for the Green Team Sustainable Jersey deadline is approaching at the end of the week and questioned if the township would be interested in having an electrical charging station locations either at the Oldwick Park or the Municipal Complex. Dr. Voyce explained that there has been no discussion of locations for charging stations to date. The issue is that there is no electricity located at the Oldwick Park. Ms. Dillon stated that the grant deadline is Friday, May 13, 2022 and if the township receives the grant, it must be installed within (9) nine months. Mr. Schrek informed the township that he is in the process of a design for the park and would the township be interested in using the library circuit to enable an electric meter. Mr. Melick questioned since the charging station would be for public use, would the township be reimbursed for the electric. Mr. Marchetta stated that he would need to look into this matter since it is a service the township will charge for. Dr. Voyce explained that the grant amount is for \$4,000 but the cost for the township would need to incur installation and the charging station. Ms. Dillon offered that the Green Team would apply for this grant. Chief Barlow stated that typically a level 2 charging station costs around \$7,200 with power already at the site. Ms. Markiewicz stated that the cost for charging stations within the township was not accounted for in the 2022 municipal budget. Discussion between the Township Committee ensued on the location being at the Municipal Complex. Mr. Schrek informed the Township Committee that the budget infrastructure is around \$8,000- \$10,000 but is unsure of the specifics of the charging station.

Mr. Melick made a motion for Mr. Marchetta to prepare a resolution to install an electric charging station at the Municipal Complex, seconded by Dr. Voyce. A Roll Call was taken and the motion was approved. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

Ms. Dillon informed the Township Committee that the township received a grant for Energy Efficiency for a fellowship person to review and evaluate the township's utility expenditures and

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inform the township on any grant opportunities. Ms. Dillon also informed the township that there is a grant available to women and minority business owners for energy efficiency upgrades. Ms. Dillon inquired on the effluent line condition and status at the Oldwick Lagoon System. Mr. Marchetta informed the public, the system is up and running for the season and that the spray field has been aerated to increase the percolation and absorption. The DPW is conducting regularly testing in the field by the 90-degree bend for presence of chlorine which would indicate effluent in the field. There have been no signs of presence but will continue to test. The township is awaiting the DEP to schedule a visit to the site. Without the DEP visit the township is hesitant to take any definitive position since the DEP governs the township's license. Mr. Schrek stated that in regards to the ground water on the field, south of the 90-degree bend, there is standing water and looked at the soil logs from when the system was designed in 1978, that whole area is shown as an alternate spray field, which is something that the township may want to consider to relieve some of the usage at the top of the hill. Mr. Schrek is testing in the next few weeks further soil investigation since the testing was done in 1978 but he does not expect a change, but would like to confirm. Mr. Schrek explained that soil logs in 1978 showed where ground water was encountered and was encountered 9 inches below the surface. It is not unexpected that standard ground surface water is being seen through the area. The wet area does not correlate to when the system was under pressure. Mr. Schrek will be doing a subsurface investigation and open some test sites for a few days to see how the water leaches in. This is the same concept that would be used if designing a system.

4. Public Hearing and Adoption of 2022 Budget

Dr. Voyce made a motion to open the Public Hearing for the Municipal 2022 Budget, seconded by Mr. Melick. The motion was approved. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

Ms. Ader provided proof of publication dated 04/21/2022 from the Hunterdon County Democrat.

Dr. Voyce made a motion to close the Public Hearing for the Municipal Budget, seconded by Ms. Desiderio. The motion was approved. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

Dr. Voyce made a motion to approve Resolution #79-2022 adopting the 2022 Municipal Budget, seconded by Mrs. Desiderio. A Roll call was taken and the motion was approved. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

TEWKSBURY TOWNSHIP, NEW JERSEY

Resolution No: 79-2022 Adoption Date: May 10, 2022

RESOLUTION ADOPTING THE 2022 MUNICIPAL BUDGET

WHEREAS, the Township Committee of the Township of Tewksbury (the "Township") has undertaken the required annual examination of revenues and expenditures for purposes of preparing the 2022 Municipal Budget; and

WHEREAS, the 2022 Municipal Budget was approved or introduction by the Township Committee on April 12, 2022 pursuant to Resolution 73-2022; and

WHEREAS, a summary of the 2022 Municipal Budget was published in the Official Newspaper of the Township on April 21, 2022; and

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WHEREAS, on May 10, 2022, the Township Committee conducted a public hearing on the 2022 Municipal Budget in accordance with law.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey that:

1. The aforesaid recitals are hereby incorporated as if repeated at length herein; and
2. The attached statements of revenues and appropriations shall constitute the Township of Tewksbury Municipal Budget for the year 2022; and
3. The Township Committee hereby adopts the 2022 Municipal Budget.

Andrea Maranca
Mayor

5. Public Hearing and Adoption

**TOWNSHIP OF TEWKSBURY
HUNTERDON COUNTY, NEW JERSEY
ORDINANCE NO. 06-2022**

**AN ORDINANCE OF THE TOWNSHIP OF TEWKSBURY, HUNTERDON
COUNTY, NEW JERSEY AMENDING TITLE 12, STREETS, SIDEWALKS AND
PUBLIC PLACES, CHAPTER 12.12, EXCAVATIONS, OF THE TOWNSHIP
CODE OF ORDINANCES**

WHEREAS, the Township of Tewksbury (the "Township") regulates the opening and repair of Township streets; and

WHEREAS, the Township Committee finds and declares that it is in the best interests of the Township and its residents to discourage the opening of Township streets within five (5) years of any permanent pavement replacement thereon.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Tewksbury, Hunterdon County, New Jersey, as follows:

SECTION 1. Title 12, Streets, Sidewalks and Public Places, Chapter 12.12, Excavations, of the Township Code of Ordinances is hereby amended as follows:

12.12.010 - Permit required.

No person, persons, partnership, association, or corporation shall excavate, dig, test drill, tunnel, construct or reconstruct, or otherwise disturb any public street, road, highway, curb, sidewalk, bridge, culvert, utility structure or other public improvement or facility located within, over or under any public right-of-way, easement, or publicly owned property in the Township of Tewksbury, for the purpose of laying, changing, repairing, connecting, constructing or maintaining any water, gas, sewer pipe, or any electric, telephone, telegraph pipes or conduits, or for any other purpose whatsoever, without having first obtained a permit from the Township clerk, in accordance with the rules, procedures, and specifications hereinafter set forth, and without having first paid the required fees or cash deposit as required by this chapter, unless specifically exempted.

12.12.020 - Definitions.

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The words, terms or phrases listed below shall, for the purpose of this chapter, be defined and interpreted as follows:

"Applicant" means any person, persons, partnership, association or corporation who makes application for a permit.

"Emergency" means any unforeseen and unexpected circumstance or occurrence, which causes a clear and immediate danger to persons or damage to property, and which requires immediate opening or repair of a road or street.

"Engineer" means the licensed professional engineer duly appointed as Township engineer, his authorized deputy, representative or inspector.

"Newly Paved Street" means the surface of any Township street or right-of-way under the control of the Township upon which a permanent pavement replacement has occurred within five years of the date of a permit application.

"Opening" means any excavation, removal, repair, construction, reconstruction, drilling or tunneling under and within the rights-of-way of roads of easements owned, regulated and within the responsibility of the Township and including excavation, drilling or cutting through pavement, curbs, gutters, drainage facilities, sidewalks, shoulders, embankments, utility lines or structures. Test holes and holes made by surveyors of small diameter, whether drilled, driven or cut, are to be considered openings, except that one application, one permit, and one fee will apply to a series or group of such test holes.

"Permittee" means any applicant, as defined above, who has been issued a permit and is obliged to fulfill all the terms and conditions of this chapter.

"Person" means any natural person or persons, owner, partnership, firm, association, utility, corporation or properly constituted authority, and shall include for purposes of this chapter the developer, applicant, agent, contractor, engineer, or other person representing such person.

Road. This is a general term and means a roadway, street, alley, highway, way, easement or right-of-way, improved or unimproved, over which there is a public right of passage.

"Township" means the Township of Tewksbury, Hunterdon County, New Jersey.

"Traveled way" means that portion of a road which when constructed is intended to accommodate vehicular passage or travel.

"Unimproved road" means any road whose traveled way is surfaced with cinders, dirt, gravel or stone without bituminous or cement binder.

12.12.030 - Emergencies.

In the event of an emergency, where repairs to existing facilities must be made immediately and the person charged with the responsibility for making the repairs would be unduly delayed, or the health, safety or convenience of the public might be adversely affected, in seeking a permit through hereinafter specified channels, then, in that event, the opening may be made to remove, correct or repair the condition causing the emergency without making prior application for a permit. As soon as the emergency condition has been corrected and the emergency no longer exists, the person having caused the opening to be made shall forthwith apply for a permit and comply with all the other provisions of this chapter. In emergency matters and in the absence of the Township Clerk, a permit may be issued the Superintendent of Public Works or the Township Engineer.

12.12.040 - Permit procedures.

- A. Application for permit must be made on standard forms provided by the clerk, must be filled out completely in the number of copies specified on the form, and filed with the clerk, along with the required permit fee and other exhibits that may be required, either under the terms of this chapter, or as outlined on the form.

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- B. Drawings. The applicant shall file, along with the permit form, appropriate drawing, in triplicate which show the following details:
 - 1. Map. The location of the proposed opening relative to surrounding, roads streets or other key landmarks.
 - 2. Existing facilities such as pavement, curbing, sidewalk, drainage, utilities, in the working area.
 - 3. Details of proposed opening and work to be done.
 - C. Insurance. The applicant shall file, along with the permit form, and as part of each application, a certificate of insurance, acceptable to the Township showing that the applicant is covered by public liability and workman's compensation insurance during the period required for the proposed improvement in the minimum amounts as currently recommended by the Township's insurance carrier.
 - D. "Hold Harmless" Agreement. The applicant shall file, along with the permit form, an agreement in writing to hold and save the Township harmless from any loss, injury or damage whatsoever resulting from the course of construction, whether directly or indirectly, connected with the work or from any negligence or fault of the applicant, its agents, servants, representatives or contractors in connection with the performance of the work.
 - E. The applicant shall file, along with the permit form, an estimate of the cost of the opening work to be done, and an estimate of the starting and completion dates. All applications for permit along with the estimated cost of opening and closing, etc., shall be submitted to the clerk and may be subject to the review and approval of the Township engineer. In the event the estimated cost of the opening and closing as filed, is in the amount of one thousand dollars (\$1,000.00) or more, then the detailed items making up the estimated cost are to be submitted to the Tewksbury Township engineer and will be subject to his review and approval.
- 12.12.050 - Fees.
- A. Application fee. Prior to commencing construction, the applicant shall submit the permit application form to the Township Clerk, along with an application fee of twenty-five dollars (\$25.00) for each street opening.
 - B. Cash deposit. In addition to the application fee, the applicant shall deposit with the Township Clerk an additional sum equal to ten percent (10.0%) of the estimated cost of the street opening and closing as filed under Section 12.12.040.E of this chapter. The moneys so deposited shall be held in escrow and used to pay the cost of engineering, inspection, legal services, unrepaired damages, or other legitimate costs to the Township ascribable to the project. Within two (2) months following the expiration of the eighteen (18) month maintenance period specific in Section 12.12.090.E of this chapter, all unexpended moneys remaining in escrow shall be returned to the applicant, except for an administrative fee in the amount of ten dollars (\$10.00), which shall be retained by the Township.

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- C. Bond in lieu of cash deposit. In addition to the application fee, any application that proposes to conduct five (5) or more openings of Township streets in a calendar year may submit a bond in lieu of the required cash deposit. Each bond shall be accompanied by an administrative fee in the amount of ten dollars (\$10.00) per street opening applied for. All bonds submitted under this section shall be in an amount equal to ten percent (10.0%) of the total estimated cost of all street openings and closings covered under the permit as filed under Section 12.12.040.E of this chapter, and shall remain in effect for a term not shorter than eighteen (18) months following the last street opening or closing covered under the applicant's permit. If any street opening covered under the applicant's permit is not properly closed or completed in accordance with the standards of the Township within the time specified on the permit, the obligor and surety for the applicant's bond shall be liable thereon to the Township for the reasonable cost of the street closing not completed or corrected and, upon authorization by the governing body, the Township attorney shall take the necessary steps to obtain such cost from the obligor and surety. Should the applicant fail to close or correct any street opening in accordance with Township standards, the Township may, in its sole discretion either prior to or after receipt of payment by the surety, complete such closing or correction.

12.12.060 - Terms of permit.

- A. The permit shall contain the following data:
 - 1. A listing of the supporting documents, plans, specifications, etc., that are the basis for the permit.
 - 2. A brief description of the location of the proposed opening and the work contemplated.
 - 3. A termination date.
 - 4. Total deposit fees paid.
- B. Renewal of permit. Upon request of the permittee an opening permit may be renewed for a period of time not to exceed the total time of the original permit.
- C. Opening permits issued under the provisions of this chapter are not transferrable.
- D. Expiration of permits. Permits issued under the provisions of this chapter will expire at midnight of the day indicated on said permit, or the day of expiration of any extension of said permit. Permits will also be revoked at any time it shall be found by the Township of Tewksbury that the permittee has failed to comply with the provisions of this chapter or the permit, and after twenty-four (24) hours' written notice has been given to the permittee without correction of said failure to comply. If after permit revocation it becomes necessary for the Township to either complete the work or to refill and repair the opening, the cost of such work by the Township will be deducted from any fees that may have been paid by the permittee. Reinstatement of revoked permits will occur only after favorable recommendation of the engineer or superintendent of roads and on majority affirmative vote of the Township Committee.
- E. Pavement cuts in newly paved streets. No permit shall be issued for any shoulder or pavement opening or excavation in a newly paved street. The Township Committee

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may, upon the adoption of a resolution containing a finding of exceptional circumstances, allow for the issuance of a permit for shoulder or pavement opening in a newly paved street. The provisions of this Section shall not apply to emergencies as set forth in Section 12.12.030 of this Title.

12.12.070 - Commencement of work.

Except for emergencies, at least twenty-four (24) hours before the permittee plans to commence work under an opening permit, the permittee will advise the Township engineer or superintendent of roads or the road commission or such other officials of the Township as may be designated by the road commissioner, of the time and date when the work is to be started. In the event another utility is in the same roadway or right-of-way and may be affected by the proposed opening of construction it will be necessary for the permittee to notify such utility or utilities at least twenty-four (24) hours in advance of the proposed construction of the opening.

12.12.080 - Conduct of the opening work.

The work shall be done in an efficient and workmanlike manner and in accordance with the plans and specifications, using proper tools, machinery, materials and manpower to effect a quality and expeditious job. Failure to perform in a manner satisfactory to the engineer may result in revocation of the permit. Except under emergency conditions the opening work will be conducted between the hours of 7:00 a.m. and 7:00 p.m. except Sundays and holidays (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day), when no opening work will be permitted.

- A. Supervision. The permittee will have a qualified supervisor at the site of the opening work during all working hours.
- B. Inspection. The permit for opening as granted shall be posted on the site of the work. In the event there is no convenient place for the posting the permit, the permit must be in possession of the supervisor, available to be seen on the site during all working hours. The engineer, the road superintendent, the road commissioner, or their authorized representatives shall be given access to the construction site during progress of the work in order to observe and inspect the work. All materials, including excavated materials, are subject to inspection and approval by the Township engineer or Township road supervisor. Where the planned opening will be made through, adjacent to or near an existing public utility facility, the permittee shall notify said utility company, whose representative shall be given access to the construction to observe and inspect that portion of the work involving said utility facility. Notification to said public utility company shall be done in accordance with Section 12.12.070.
- C. Removal of Existing Features. The existing pavement, blacktop or concrete, shall be cut in a straight line or lines, prior to any subsurface excavation, which shall be confined to the area between the cuts. If pavement, curbing, sidewalk, or other surface construction becomes damaged, ragged or zig-zagged when it comes time to repave or replace the facility, the edges shall be cut or recut in a straight line or lines to the satisfaction of the Township engineer, in general parallel with the lines of the excavated trenches and in a width sufficient to accommodate the entire excavation and to create a smooth finished appearance when the construction is complete. When cutting through reinforced concrete pavement, the saw cutting will be done in such a way as to permit the exposing

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of existing reinforcement, which is not to be cut, but is to be exposed, retained and allowed to project into the excavation at least eighteen (18) inches. These exposed bars will later be reformed to tie into the patched concrete.

- D. Protection of Unpaved Areas. On banks and slopes of improved or unimproved Township roads, or grass planted areas, the topsoil shall be saved and carefully replaced a four-inch depth after the opening has been refilled and resettled. The topsoil shall be raked and shall have rye grass seed, other acceptable grass seed or approved sod placed thereon. The permittee will be responsible for turf growth through two mowings. If insufficient topsoil is available from the excavation, then the permittee will bring new topsoil in and place same as required above.
- E. Backfilling. After the required work or construction has been completed in the open excavation, the backfilling shall be done, using excavated material, if acceptable to the engineer, or, if excavated material is unacceptable, using imported clean shale, bank run gravel, quarry blend stone or other acceptable material. In placing backfill, the permittee or his contractor shall use a mechanical or vibrating tamping device or machine placing fill in six-inch to ten (10) inch compacted lifts, as directed by the engineer.
- F. On unimproved (unpaved) roads and shoulders, the backfill shall be brought up to within seven inches (after compaction) of the existing surface grade. There shall then be placed five inches of two-and-one-half-inch crushed stone ballast, which shall be bound on top only with Grade B screenings, bank run gravel, quarry blend stone, or slag and thoroughly compacted. The remaining two inches shall be three-quarter-inch crushed stone quarry blended with sufficient fines to make a tight stable surface.
- G. On improvement (bituminous pavement) roads, the backfill shall be brought up to a level within eight inches to the top of the original pavement, wherein a proper base containing six inches of compacted Type 5 Class A material and topped with two inches compacted bituminous concrete. The material and workmanship for this construction shall be in accordance with the requirements specified in the current issue of the Standard Specifications of the New Jersey Department of Transportation. The requirement of the six-inch base and two-inch top shall be considered the minimum for repaving over bituminous paved street openings.
- H. Shoulders. Where shoulders are unimproved, backfilling and surface repairs shall be as specified for unimproved roads, subsection F of this section. Where shoulders are of bituminous pavement, the provisions of subsection G of this section shall apply.
- I. Curbs, Gutters, Sidewalks, Driveways, Etc. Where the opening involves cutting through existing curbs, gutters, sidewalks, driveways, and any other surface structures, the permittee or his contractor shall rebuild or replace such surface structures as closely as possible duplicating the original as to dimensions, grade, appearance and materials. Curbs and gutters shall be reconstructed of State Highway Class B concrete; sidewalks, concrete aprons and other miscellaneous structures shall be reconstructed of State Highway Class C concrete or superior.

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- J. Existing Pipes, Utilities, Subsurface Structures. Any existing subsurface pipes, utility, lines, drains, foundations, abutments, inlets or other structures that may be disturbed, damaged or removed during the necessary opening work by the permittee are to be replaced, reconstructed or repaired, under the direction of the engineer and the appropriate officials of the utility company whose facility may be involved. Such replacement, reconstruction or repair shall be made using materials, methods and standards of workmanship at least equal to those of the existing feature, or in the case of a public utility facility, to the standards imposed by said utility. Caution and care shall be exercised by the permittee not to disturb such existing structures or facilities exposed by the opening and found to be in or adjacent to the opening.
- K. Other Ordinances. If and when the Township may have adopted other ordinances detailing standards or specifications for the construction of any structures or facilities covered by subsections C through J of this Section, then such ordinance provisions shall govern the standards to be applied for openings or excavations under this chapter.
- L. Temporary Surfacing. Pending the actual repaving or reconstruction operations stated above, the permittee or his contractor shall provide a temporary pavement or surface over the compacted refilled opening, of such material as shall be directed by the engineer. The contractor shall maintain, refill and temporarily repave said surface from time to time as may be required by the engineer or road superintendent until a permanent pavement has been constructed, to provide a properly graded travelling surface. Where a bituminous concrete temporary pavement is indicated and warranted, as determined by the engineer such temporary pavement shall be constructed two inches thick of Type SM bituminous concrete or equivalent material approved by the engineer.
- M. Tunneling. In cases where it becomes necessary to resort to tunnelling operations to accomplish the opening work in a most practical way, the backfill in such tunnel shall be rammed soil composed of a mixture by volume of one part cement to six parts of aggregate material such as sand or three-quarter-inch quarry blendstone. Tunnelling shall be permitted only with the approval of the engineer and when the need for tunnelling is indicated on the application for permit. Jacking or drilling is not considered to be tunnelling.
- N. Jacking and Drilling. Jacking and drilling will be permitted when the need is indicated on the application for permit and when other existing structures or utilities will not be disturbed or damaged thereby. In the event jacking or drilling is required, it will be necessary to present plans showing the details of this construction. These plans will need to be approved prior to construction by the utility engineer, if involved, and by the Township engineer.
- O. Blasting. No blasting shall be allowed, unless approved by the engineer. Blasting work shall be done only by an experienced and where required, license dynamiter, and only after all required safety precautions have been taken and other necessary permits, if any, obtained.

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P. Surplus Materials. The permittee or his contractor shall remove all surplus or unusable fill, debris and other materials from the job site at his own expense. The area shall be left cleaned up at the end of the work, to the satisfaction of the Township engineer or Township road superintendent. During construction, machinery, vehicles or tools of the contractor are not to be left over night, or during periods of inoperation, in the right-of-way of the road or street. Contractors shall make provisions to place or store said machinery, vehicles or tools in other places. Machinery, vehicles and tools of the contractor shall be promptly removed from the job site when the work has been completed.

12.12.090 - General conditions.

A. Safety Precautions. The permittee and his contractor shall keep all openings, all excavated materials, and all other machinery, tools or other materials properly guarded and shall place and maintain barricades, temporary fencing, guards or other appropriate warning devices at all times during the progress of the work. Adequate flashing warning lights shall be operated at the opening site to warn the public from one hour before sunset till one hour after sunrise. The permittee and his contractor shall at all times comply with all state safety regulations outlined in the Construction Safety Code of the Department of Labor and Industry, Bureau of Engineering and Safety, State of New Jersey, as the same may be amended from time to time.

B. Cleanliness. If dust, dirt, air pollution, poor housekeeping or detrimental material are allowed to exist, occur or continue as a result of the work to the point where a public nuisance has occurred, in the opinion of the Township committee, the Township engineer or Township road superintendent, the engineer may stop the work until the situation complained of is eliminated. Streets or roads are to be kept broom-cleaned on a daily basis. If dust persists, streets or roads may be required to be hosed clean. The engineer may direct the permittee or his contractor to spread dust inhibiting chemicals.

C. Maintenance of Traffic. At all times during the course of construction, at least one-half of the travelled way shall be kept open for public vehicular travel, unless the permittee or his contractor provides and marks, to the satisfaction of the Township chief of police, a suitable detour. The permittee shall, at all times, make provision for local residents to have access to their properties and shall maintain the roadway and adjacent areas free from needless obstruction. During all working hours that single line traffic is necessary, the permittee shall provide a flagman or flagmen as reasonably required. No length of street, or road, shoulder, or embankment shall be left open, even though guarded, at any one time in excess of two hundred (200) feet.

D. Protection of Private Property. Prior to starting work on the opening, it shall be the responsibility of the permittee to advise in advance each nearby or adjacent property owner, whose property will be temporarily inconvenienced or disturbed, or whose access or use of his property or the road facilities, utilities, or other features will be affected by the opening work, either directly or indirectly, when the work will be done and as far as

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possible the effect it will have on the owner's free use of his property. The permittee will be solely responsible for any damage, inconvenience or disruption to nearby or adjacent properties, and will save the Township harmless for any neglect, real or alleged, that may arise from the conduct of the work. It will be the permittee's obligation and responsibility to arrange for any access permission needed. The permittee shall not store tools, machinery, materials, dirt or debris on private property, nor use water, electricity, telephone or other private facilities, without first obtaining permission from the property owner.

- E. Maintenance of Newly Reconstructed Surface Facilities. The permittee assumes the responsibility of refilling the excavation, as it may sink, consolidate, or break out, from time to time, whether the repair be temporary or permanent, and keeping the surface level and smoothly blended with the surrounding undisturbed pavement. After permanent repavement and approval by the Township the permittee shall be responsible for maintaining the opening site for a period of eighteen (18) months refilling, compacting, repaving and repairing damage, restoring turf or shrubbery, all as directed by the engineer when necessary, and in the case of undue trench settlement may be required to reopen the trench or excavation to ascertain the cause of undue settlement and to remedy the fault, all as required by the engineer.

12.12.100 - Administration.

Acceptance. All openings made and restored under terms of this chapter and any permits issued shall be subject to acceptance in writing by the Township clerk or Township engineer. No remaining deposit money shall be returned until after said written acceptance has been obtained. This acceptance will not normally be effected until the expiration of the eighteen (18) month period specified in Section 12.12.090 of this Chapter.

12.12.110 - Exemptions.

- A. The provisions of this Chapter also shall not apply to work being done on openings in the Township by working forces of the Township.
- B. The provisions of this Chapter shall not apply to opening work involved within the rights-of-way of roads or easements owned, regulated and within the responsibility of the County of Hunterdon or the State of New Jersey, or their various departments, bureaus or agencies.
- C. The provisions of this chapter shall not apply to the installation, erection, replacement, or maintenance of wood utility pole for electric distribution, telephone or telegraph installations, nor to such other appurtenances such as stub poles, anchors, guys or ground lines, incidental to these poles, where such poles and appurtenances belong to any of the franchised public utility companies operating within the Township.

12.12.120 – Violation and Penalty.

Any person who shall violate any of the provisions of this Chapter shall upon conviction thereof be punished by a fine not exceeding two thousand dollars (\$2,000.00), by a term of imprisonment not exceeding 90 days, or or by a period of community service not exceeding 90 days, or by any combination thereof.

SECTION 2. All actions of the Township taken prior to the date of adoption hereof contemplated by this Ordinance are hereby ratified and approved.

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SECTION 3. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any remaining part thereof.

SECTION 4. All Ordinances or parts of Ordinances of the Township of Tewksbury heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. This Ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

Andrea Maranca
Mayor

Mrs. Frankel made a motion to open the Public Hearing on Ordinance #06-2022, seconded by Ms. Desiderio. The motion was approved. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

Ms. Ader provided proof of publication dated 04/21/2022 from the Hunterdon County Democrat.

Dr. Voyce made a motion to close the Public Hearing on Ordinance #06-2022, seconded by Ms. Desiderio. The motion was approved. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

Dr. Voyce made a motion to approve Ordinance # 06-2022, seconded by Mrs. Desiderio. A Roll call was taken and the motion was approved. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

Mr. Marchetta informed the Township Committee that Ordinance #07-2022 would create an overlay zone for the Penn Rose project. However, the Land Use Board reviewed the ordinance and found it not inconsistent, but found recommendations. The Township Committee can either take a vote to table the ordinance or can proceed with the Public Hearing and adoption for the ordinance.

Mr. Melick recused himself from this section of the meeting.

Dr. Voyce made a motion to follow the recommendations of the Land Use Board, seconded by Ms. Desiderio. The vote was approved. Ayes: Desiderio, Frankel, Voyce, Maranca. Nays: None. Absent: Melick.

Ms. Desiderio made a motion to table Ordinance 07-2022, seconded by Dr. Voyce. A Roll Call vote was taken and the motion was approved. Ayes: Desiderio, Frankel, Voyce, Maranca. Nays: None. Absent: Melick.

Ms. Desiderio made a motion to introduce Ordinance 11-2022, seconded by Dr. Voyce. A Roll Call vote was taken and the motion was approved. Ayes: Desiderio, Frankel, Voyce, Maranca. Nays: None. Absent: Melick.

TOWNSHIP OF TEWKSBURY

**TOWNSHIP COMMITTEE
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**HUNTERDON COUNTY, NEW JERSEY
ORDINANCE NO. 11-2022**

**AN ORDINANCE OF THE TOWNSHIP OF TEWKSBURY, HUNTERDON
COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING THE TOWNSHIP
DEVELOPMENT REGULATIONS ORDINANCE TO INCLUDE A NEW
DEFINITION IN SECTION 301 "WORDS AND TERMS DEFINED" AND TO
CREATE A NEW INCLUSIONARY OVERLAY DISTRICT IN SECTION 714.2
"AR-1 AFFORDABLE RESIDENTIAL DISTRICT OVERLAY"**

The public hearing is scheduled for June 14, 2022 at 7:30pm at Oldwick Manor, Oldwick Fire Company, 2 Fisher Road, Whitehouse Station.

Mr. Melick reentered the Township Committee Meeting.

**TOWNSHIP OF TEWKSBURY
HUNTERDON COUNTY, NEW JERSEY
ORDINANCE NO. 08-2022**

**AN ORDINANCE OF THE TOWNSHIP OF TEWKSBURY, HUNTERDON
COUNTY, NEW JERSEY CREATING TITLE 3, REVENUE AND FINANCE,
CHAPTER 3.16, FARMLAND ASSESSMENT INSPECTION FEE, OF THE
TOWNSHIP CODE OF ORDINANCES**

WHEREAS, pursuant to N.J.S.A. 54:4-23.1, *et seq.*, the Township of Tewksbury (the "Township") is required to periodically inspect real property under farmland assessment, or for which the owner has applied for farmland assessment; and

WHEREAS, the Township Committee finds and declares that it is in the best interests of the Township and its residents to levy a fee pursuant to N.J.S.A. 54:23.13 to cover the cost of such inspections.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Tewksbury, Hunterdon County, New Jersey, as follows:

SECTION 1. Title 3, Revenue and Finance, Chapter 3.16, Farmland Assessment Inspection Fee, of the Township Code of Ordinances is hereby created as follows:

CHAPTER 3.16 – FARMLAND ASSESSMENT INSPECTION FEE

3.16.010 – Fee.

All applications to the township tax assessor concerning the eligibility of land for valuation, assessment and taxation under the Farmland Assessment Act of 1964 shall be accompanied by a fee of \$25 to cover the cost of on-site inspection of the property which is the subject of such application. Contiguous parcels of land owned by the same owner will be subject to a single fee. The failure by an applicant to submit such payment at the time of application shall result in the application being denied as incomplete.

3.16.020 – Deposit in the General Treasury.

All fees collected shall be deposited into the township's General Treasury.

SECTION 2. All actions of the Township taken prior to the date of adoption hereof contemplated by this Ordinance are hereby ratified and approved.

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SECTION 3. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any remaining part thereof.

SECTION 4. All Ordinances or parts of Ordinances of the Township of Tewksbury heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. This Ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

Andrea Maranca
Mayor

Mr. Marchetta informed the Township Committee that it was discovered (3) three members of the committee have farmland properties. Having those members abstain will not give a full quorum. The township will imply the doctrine of necessity and the conflicted members can vote on this ordinance.

Dr. Voyce made a motion to open the Public Hearing on Ordinance #08-2022, seconded by Ms. Desiderio. The motion was approved. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

Ms. Ader provided proof of publication dated 04/21/2022 from the Hunterdon County Democrat.

Ms. Desiderio made a motion to close the Public Hearing on Ordinance #08-2022, seconded by Dr. Voyce. The motion was approved. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

Dr. Voyce made a motion to approve Ordinance # 08-2022, seconded by Mrs. Desiderio. A Roll call was taken and the motion was approved. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

**TOWNSHIP OF TEWKSBURY
HUNTERDON COUNTY, NEW JERSEY
ORDINANCE NO. 09-2022**

**CALENDAR YEAR 2022 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PER
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1% 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

TOWNSHIP COMMITTEE
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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 Tewksbury in the County of Hunterdon finds it advisable and necessary to increase its CY 2022 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 \$64,305.96 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 Tewksbury, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Township of Tewksbury shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$64,305.96, and that the CY 2019 municipal budget for the Township of Tewksbury 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.

Andrea Maranca
Mayor

Dr. Voyce made a motion to open the Public Hearing on Ordinance #09-2022, seconded by Ms. Desiderio. The motion was approved. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

Ms. Ader provided proof of publication dated 04/21/2022 from the Hunterdon County Democrat.

Ms. Desiderio made a motion to close the Public Hearing on Ordinance #09-2022, seconded by Dr. Voyce. The motion was approved. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

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Dr. Voyce made a motion to approve Ordinance # 09-2022, seconded by Mrs. Desiderio. A Roll call was taken and the motion was approved. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

**TOWNSHIP OF TEWKSBURY
HUNTERDON COUNTY, NEW JERSEY
ORDINANCE NO. 10-2022**

**BOND ORDINANCE PROVIDING AN APPROPRIATION OF
\$1,518,500 FOR VARIOUS IMPROVEMENTS IN AND BY THE
TOWNSHIP OF TEWKSBURY, IN THE COUNTY OF
HUNTERDON, NEW JERSEY AND AUTHORIZING THE
ISSUANCE OF \$1,134,500 BONDS OR NOTES OF THE
TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.**

BE IT ORDAINED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF TEWKSBURY, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvement described in Section 3 of this Bond Ordinance (the "Improvement") is hereby authorized to be undertaken by the Township of Tewksbury, in the County of Hunterdon, New Jersey (the "Township") as a general improvement. For the said Improvement there is hereby appropriated the amount of \$1,518,500, such sum includes (a) the sum of \$14,000 expected to be received as a contribution from the Tewksbury Board of Education in connection with the Ultra High Band Radio described in Section 3(a)(i) and the sum of \$370,000 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments for capital improvement purposes.

SECTION 2:

In order to finance the cost of the Improvements and grant not covered by application of the Down Payment and the grant set forth in Section 1 of this bond ordinance, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$1,134,500 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said Improvement or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$1,134,500 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements hereby authorized and the purposes for the financing of which said obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bond or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

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Improvement of Purpose	Appropriation and Estimated Cost	Maximum Amount of Bonds or Notes	Period of Usefulness
(i) Various acquisitions and improvements for the Department of Public Works, including but not limited to acquisition of roadside boomer mower, construction department vehicle, grounds maintenance wing mower, ultra high band radio with three repeaters, improvements to mechanics bay floor, improvements to various buildings, including but not limited to PAB Building and Oldwick Barn and replacement of three air conditioning units, including all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.	\$470,000	\$350,000	15 Years
(ii) Various acquisitions for the Police Department, including but not limited to digital recorders, sport utility vehicle and a pole mounted license plate reader.	78,500	70,000	5 Years
(iii) Upgrade of Gasboy System for the Administration Department and acquisition and installation of four bay car port for work trucks.	36,000	30,500	15 Years
(iv) Various road improvements in the Township, including but not limited to Cokesbury-Califon Road (Clinton Twp Boundary), Cokesbury-Califon Road (Lebanon Boundary), Hedge Row Crossing, Alpaugh Farm Road, Cedar Ridge Road, Old Mine Road, Stillery Road, Jeffery Court, View Point Terrace, Cross Brook Road, Tamarack Farm Lane, Marigold Lane, Fox Run, Pace Farm Road and Fleming Road, including curbing, milling, paving, drainage, site preparations and including all work and materials necessary therefor and incidental thereto.	934,000	684,000	10 Years
TOTAL	\$1,518,500	\$1,134,500	

TOWNSHIP COMMITTEE
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(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$1,134,500.

(c) The estimated cost of the Improvement is \$1,518,500 which amount represents the initial appropriation made by the Township.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the municipal finance officer of the Township (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Committee of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Township is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvement described in Section 3 of this Bond Ordinance is not a current expense, and is a capital improvement or property that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvement, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the Bonds authorized by this Bond Ordinance, is 11.36 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this Bond Ordinance by \$1,134,500 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

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(d) An aggregate amount not exceeding \$350,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds or grant monies received for the purpose described in Section 3 of this Ordinance shall be used for financing said Improvement by application thereof either to direct payment of the cost of said Improvement or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvement shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this Bond Ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvement prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the cost of the Improvement is \$1,134,500.

SECTION 11:

This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Andrea Maranca
Mayor

TOWNSHIP COMMITTEE
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Ms. Desiderio made a motion to open the Public Hearing on Ordinance #10-2022, seconded by Dr. Voyce. The motion was approved. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

Ms. Ader provided proof of publication dated 04/21/2022 from the Hunterdon County Democrat.

Ms. Desiderio made a motion to close the Public Hearing on Ordinance #10-2022, seconded by Dr. Voyce. The motion was approved. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

Ms. Desiderio made a motion to approve Ordinance # 10-2022, seconded by Dr. Voyce. A Roll call was taken and the motion was approved. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

6. Consent Agenda

Mr. Melick made a motion to approve the consent agenda, seconded by Ms. Desiderio. A roll call vote was taken and the consent agenda was approved. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

TEWKSBURY TOWNSHIP, NEW JERSEY

Resolution No: 80-2022

Adoption Date: May 10, 2022

**A RESOLUTION TO ACKNOWLEDGE RECEIPT OF A \$2,309.00 2021 SAFETY GRANT
FROM STATEWIDE INSURANCE FUND
CHAPTER 159**

WHEREAS, a receipt of \$2,309.00 was made to the Tewksbury Township from Statewide Insurance Fund.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey that this grant has been gratefully acknowledged and the monies will be used for Public Work Safety Signs.

Andrea Maranca
Mayor

MISCELLANEOUS

- Claims submitted by the CFO
- Minutes: 3/22/2022, 4/12/2022, 4/26/2022, ES 3/22/2022, ES 4/12/2022, ES 4/26/2022.
- Authorization for Approval of Contract: Valley Health Drug and Alcohol Testing Agreement.
- Correspondence List
 - a) North Hunterdon – Voorhees: Tax Levy Certification form for 2022-23
 - b) State of New Jersey, Department of Transportation: Fiscal 2023 State Aid Programs deadline for grant submissions is July 1st.
 - c) United Way of Hunterdon – 2021 Community Impact Report.

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- d) Chester Township – Introduction of Ordinance 22-09 “An Ordinance of the Township of Chester, Morris County, New Jersey setting forth the procedures to be followed whereby an applicant can apply for the rezoning of a property.

6. Reports

Township Committee Sub Committees & Township Committee Comments

Mr. Melick – informed the public that the municipal budget passed tonight. The DPW is progressing as normal. JCP&L tree crew is working on the Greater Cross Road substation. The clean-up and shredding day will be held this Saturday from 8am -12pm.

Mrs. Frankel – expressed her gratitude that the broad band study can be implemented since the budget has been adopted. Planet Network is also interested in doing a study in the township. Ms. Goodchild is in the process of coordinating a meeting/trial run at the Old Turnpike School for a live stream meeting, which will be held sometime in the summer. Ms. Goodchild will reach out to the different municipalities using grant writers for recommendations.

Ms. Desiderio made a motion to release a request for qualification for a grant writer, seconded by Dr. Voyce. A Roll Call vote was taken and the motion was approved. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

Mr. Melick requested a clear-cut agenda for the what grants would be written by the grant writer. Mr. Marchetta informed the Township Committee that the previous motion was only to solicit qualifications from grant writers, the township would still need to decide on the terms.

Dr. Voyce informed the public that the Green Team is progressing. The Stormwater subcommittee has not met. The Tewksbury First Aid and Rescue Squad will be hosting an Open House, during the upcoming EMS week.

Ms. Desiderio -informed the public that the TEF Barn Dance is this Saturday, May 14th. Mrs. Frankel stated that the fundraiser will be held at the Life Camp from 6:30pm – 11:00pm and the ticket price is \$150.00. The theme of this year’s barn dance is 25 Faces.

Mayor Maranca -thanked the Chief Finance Officer for the hard work on the adopted budget and is hopeful for receiving potential opportunities for next year’s budget. The Mayor will host office hours starting May 24, 2022 from 1:00pm – 2:00pm and will be scheduled for the fourth Tuesday of every month. The DPW informed Mrs. Maranca that JCP& L leaves the piles of wood on residents properties, after JCP&L receives notification from the property owners of trees on how to dispose of the wood.

Mr. Melick made a motion that May 13, 2022 is Falun Dafa Day, seconded by Ms. Desiderio. A voice vote was taken and the motion was approved. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

Stan Schrek informed the Township Committee that the 2022 road program was calculated last April which placed (14) fourteen roads for improvements. Since then, asphalt has increased. As of today, the cost of asphalt is \$87.94 a ton resulting in the road program to be cut down to (10) ten from the list that was previously prioritized. NJ American Water’s project on Hollow Brook Road is progressing, and NJ American Water will resurface the road once the project is complete. A submittal was sent to the NJ DOT to break the sidewalk into phases 1 and 2. Once the request has been approved phase one can proceed. Phase one is sidewalks from the library through the first four properties. Easements will be needed. Mr. Schrek will submit in

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July the following NJDOT grants as priority 1 – Oldwick Sidewalk Phase 2, and priority 2 – another project. Califon Cokesbury Road is under construction now. V-Comm will start the study as soon as the Purchase Order has been received by them. There was (2) two denials of Ground Surface Water Management Permits.

Justin Marchetta informed the Township Committee that he is the process of negotiating (2) two lease agreements for the shared radio systems. One is with the Oldwick Fire Company and the other is with Lebanon Township NJ Water.

Mrs. Goodchild informed the Township Committee that the Environmental Commission held the Spring Clean Up at the Park and Ride and collected (8) eight bags of garbage. The Parks Committee held a very successful Arbor Day. The township will host a fellowship person from June through August to help the township find energy and utility incentives. Ms. Goodchild is hoping the person will be able to find incentives for the air conditioning units at the Police and Administration Building.

Chief Barlow informed the public that the Junior Police Academy will be held June 27th through July 1st for grades 5th-8th. The applications are due to the Police Department by May 20, 2022. The Senior Picnic will be held on Friday, June 10th from 11:00am – 2:00pm. The Tewksbury First Aid and Rescue Squad are in need of EMTs. The Police officers are helping direct traffic on Hollow Brook Road during the project.

7. Executive Session

BE IT HEREBY RESOLVED in accordance with the provisions of N.J.S.A. 10:12 and 13, the public shall be excluded from the Executive Session of the Township Committee which is being held for the discussion of the following subject matters: 1. Pending or anticipated litigation or contract negotiation; 2. Personnel matters; 3. Attorney-Client Privilege; 4. This Executive Session shall continue for an indefinite period of time and upon termination of the Executive Session, the Township Committee may choose to resume the public portion of the meeting. The discussion, which shall be conducted in closed session, shall be disclosed upon termination of litigation or contractual matter, upon resolution of the personnel matter with consent of said person or persons and as provided by N.J.S.A. 4-12 but in no case later than two (2) years from this date. These minutes shall be available as soon as the matter is resolved or not later than two years hence.

- Personnel

Dr. Voyce made a motion to enter executive session at 8:50 PM, seconded by Ms. Desiderio. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

9. Adjournment

Mr. Melick made a motion to approve Resolution # 81-2022, seconded by Ms. Desiderio. A Roll Call vote was taken and the resolution was approved.

TEWKSBURY TOWNSHIP, NEW JERSEY

Resolution No: 81-2022 Adoption Date: May 10, 2022

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF TEWKSBURY,
COUNTY OF HUNTERDON, STATE OF NEW JERSEY,
AUTHORIZING THE EXECUTION OF AN ADDENDUM TO EMPLOYMENT AGREEMENT**

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WHEREAS, the Township of Tewksbury (the “Township”) and Shana L. Goodchild (the “Administrator”) are parties to that certain Employment Agreement between them dated January 1, 2022 (the “Underlying Agreement”); and

WHEREAS, the purpose of the Underlying Agreement was to create a single permanent position with both administration and land use components to be fulfilled by the Administrator; and

WHEREAS, pursuant to the then-current Salary Ordinance, the Township combined two (2) budget line items to compose the Administrator’s salary, namely the administration and land use line items; and

WHEREAS, the Division of Pensions and Benefits has audited the Administrator’s position and determined that the administration component of her salary is not pensionable because it is considered a concurrent lesser compensated job title; and

WHEREAS, it is, and has always been, the Township’s intention that the Administrator’s full salary be pensionable as she is fulfilling a single permanent position with multiple responsibilities; and

WHEREAS, in order to clarify their intentions, the parties have reduced their understanding to a written Addendum.

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

1. The aforesaid recitals be and hereby are incorporated as if repeated at length herein; and
2. The Mayor and Township Clerk be and hereby are authorized to execute and attest, respectively, an Addendum to Employment Agreement in a form acceptable to the Township Attorney; and
3. Township Administration be and hereby is authorized to take any reasonable and necessary action to effectuate the same.

Andrea Maranca
Mayor

There being no further business, the meeting was adjourned 8:59 PM.

Motion made by Ms. Desiderio, seconded by Dr. Voyce. Ayes: Desiderio, Frankel, Melick, Voyce, Maranca. Nays: None. Absent: None.

Jennifer Ader
Municipal Clerk