

**MINUTES FOR THE REGULAR MEETING OF THE MAYOR AND COMMITTEE  
OF THE TOWNSHIP OF WANTAGE, HELD AT THE WANTAGE TOWNSHIP  
MUNICIPAL BUILDING, 888 STATE HIGHWAY ROUTE 23, WANTAGE, N.J.,  
ON NOVEMBER 10, 2011**

Mayor DeBoer called the meeting to order, and requested the Clerk to call the roll. Upon roll call, the following members of the governing body were present: Mayor DeBoer, Committeeman Gaechter, and Committeeman Bassani. The following members were absent: None. Also Present: Township Attorney Michael Garofalo.

Mayor DeBoer stated, "This meeting is being held in compliance with the provisions of the Open Public Meetings Act, Public Laws 1975, Chapter 231. It has been properly noticed and posted to the public, and certified by the Clerk."

Mayor DeBoer led the assembly in the salute to the American Flag.

**CONSENT AGENDA**

Mayor DeBoer requested that the members of the Committee review the Consent Agenda. Mr. Bassani requested the Bill List be given separate consideration. The Bill List was removed from the Consent Agenda.

There being no other Committee member present wishing to comment on the proposed Consent Agenda, Mayor DeBoer requested approval of the Consent Agenda as adjusted.

Mr. Gaechter moved to approve the following reports for filing:

- ≡ Construction Department Report for October 2011
- ≡ Board of Health Report for October 2011
- ≡ Clerk's Report for October 2011
- ≡ Tax Collector Report for October 2011
- ≡ Registrar Report for October 2011

Mr. Bassani seconded the motion. Upon roll call,

Ayes: Gaechter, DeBoer, Bassani    Nays: None    Absent: None    Abstain: None

Mr. Gaechter moved to approve the following applications:

- ≡ Bingo License BL11-27, to High Point Regional High School Booster club, to conduct a Basket Bingo event at the High School on 12/10/11
- ≡ Raffle License RL11-28, to High Point Regional High School Booster club, to conduct an On Premise 50/50 raffle at the High School on 12/10/11

Mr. Bassani seconded the motion. Upon roll call,

Ayes: Gaechter, DeBoer, Bassani    Nays: None    Absent: None    Abstain: None

Mr. Gaechter moved to authorize Transfer Resolution dated 11/10/11 as follows:

**WHEREAS**, N.J.S.A. 40A:4-58 permits appropriation transfers to be made during the last two months of the fiscal year, and

**WHEREAS**, it is necessary to transfer appropriations between line items presently located in the Current Year Budget;

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Township of Wantage, County of Sussex, State of New Jersey that the following transfers be made.

<u>FROM:</u>		<u>TO:</u>	
Audit Services	1,000.00	Financial Administration	1,000.00
Other Expenses		Other Expenses	
Legal	10,000.00	Gas & Diesel	10,000.00
Other Expenses		Other Expenses	
Assessor	2,000.00	Financial Administration	1,000.00
Salaries and Wages		Salaries and Wages	
		Board of Health	520.00
		Salaries and Wages	
		Recreation	480.00
		Salaries and Wages	
Total Transfers:	13,000.00		13,000.00

Mr. Gaechter moved to authorize refund of tax sale premiums in the amount of \$8,100 to US Bank for Block 21 Lot 7, and \$2,500 to US Bank for Block 71 Lot 5.

Mr. Bassani seconded the motion. Upon roll call,  
Ayes: Gaechter, DeBoer, Bassani Nays: None Absent: None Abstain: None

Mr. Gaechter moved to authorize the refund of \$35.00 to Franklin Sussex Auto Mall for zoning permit on Block 2, Lot 57, for permit application made in error.

Mr. Bassani seconded the motion. Upon roll call,  
Ayes: Gaechter, DeBoer, Bassani Nays: None Absent: None Abstain: None

Mr. Gaechter moved to authorize refund of \$2,000.00 to Roy Rohel Jr. for Driveway Permit #D-11-01, on Block 21 Lot 15.01. Mr. Bassani seconded the motion. Upon roll call,

Ayes: Gaechter, DeBoer, Bassani Nays: None Absent: None Abstain: None

Mr. Gaechter moved to authorize renewal of 5-Year Public Works Shared Service Fuel Dispensing Agreement with the Sussex Wantage Board of Education, allowing use of the Wantage fuel pumps for School vehicles. Mr. Bassani seconded the motion. Upon roll call,

Ayes: Gaechter, DeBoer, Bassani Nays: None Absent: None Abstain: None

Mr. Gaechter moved to authorize renewal of liquor licenses, as follows:

***Resolution Renewing Liquor Licenses for 2011-2012 Licensing Term***

BE IT RESOLVED, that the Mayor and Committee of the Township of Wantage, in the County of Sussex, State of New Jersey, does hereby approve the renewal of the liquor licenses named below for the licensing term of July 1, 2011 through June 30, 2012:

**PLENARY RETAIL CONSUMPTION LICENSES:**

<u>License #</u>	<u>Licensee &amp; Location:</u>	<u>Trading As:</u>
1924-33-002-002	Bob & Joani's Log Cabin LLC 447 Route 284	Log Cabin Restaurant
1924-33-003-006	Charles Forman Trustee in Bankruptcy for Tara Inn, LLC	No Trade Name on File

Mr. Bassani seconded the motion. Upon roll call,  
Ayes: Gaechter, DeBoer, Bassani Nays: None Absent: None Abstain: None

**BILL LIST**

General discussion took place at this time regarding the bill list.

Mr. Bassani moved to approve the payment of Bills for the meeting of November 10, 2011.

Mr. Gaechter seconded the motion. Upon roll call,  
Ayes: Gaechter, DeBoer, Bassani Nays: None Absent: None Abstain: None

**ADMINISTRATOR REPORT**

Mr. Doherty presented the results of competitive quotations for the Layton Road Drainage Improvement Project, and offered the recommendation of Township Engineer Harold Pellow.

Mr. Gaechter moved to award the contract for Layton Road Drainage Improvement to Salmon Brothers Inc., of Netcong, NJ in the amount of \$34,060, in accordance with the recommendation of the Township Engineer.

Mr. Bassani seconded the motion. Upon roll call,  
Ayes: Gaechter, DeBoer, Bassani Nays: None Absent: None Abstain: None

**Outstanding Young Farmer:** By unanimous agreement, the members of the governing body requested Mr. Doherty to invite Duce Tallamy to attend the December 8, 2011 meeting of the Wantage governing body, for the purpose of congratulating Mr. Tallamy on being chosen the Outstanding Your Farmer of the Year.

Negotiations: Mr. Doherty requested a brief executive session to provide a status update on Negotiations with municipal employees.

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**ATTORNEY REPORT:** Mr. Garofalo requested a brief executive session to discuss matters of pending litigation involving the Gorman litigation.

**COMMITTEE REPORTS:**

Mr. Gaechter offered his compliments to Mayor DeBoer for his efforts in securing sewer service area approvals for various properties located along the Route 23 corridor in Wantage Township.

Mayor DeBoer expressed a desire to pursue a meeting with JCP&L and Sussex Rural Electric, to discuss possible changes to existing service territories to improve conditions for various Wantage residents and property owners.

Mr. Bassani initiated a general discussion regarding the status of competing improvements at the Clove Hill Manor project, the bonding security for said project, and options available for dealing with this topic. Options considered included placing a freeze on all building lots of the development. Mr. Garofalo suggested that discussion of legal options should take place in closed executive session, if desired. Mr. Bassani suggested a need to find a means by which to address safeguarding the validity of principals named on a bond security when it is accepted in the future.

Mr. Bassani expressed an interest in reviewing a tax delinquency report. Mr. Doherty stated he would inform the Tax Collector of Mr. Bassani's request.

Mr. Bassani asked if the Township had reached out to those fire vehicle manufacturers who chose to not submit a bid for the Beemerville Pumper, to ascertain why they did not submit a bid. Mr. Doherty asked Mr. Vander Groef to carry this request to Jon Morris of the Beemerville Fire Department for a response.

Mr. Bassani asked regarding the time frame for 2012 budget preparation. Mr. Doherty explained that he would be providing preliminary calculations to the governing body during the month of December, for review and preparation of discussions to take place during January budget workshops.

Mr. Bassani inquired regarding the procedure followed for consideration of appointments during the annual Organization Meeting. Mr. Doherty stated he would be presenting a draft agenda for the Organization Meeting to the governing body in the near future, which will include those individuals slated for consideration of re-appointment for the consideration of the governing body.

**OLD BUSINESS**

**Fire Vehicle Bid Award:**

Mr. Bassani moved to award the contract for one custom Medium Four Door Chassis 1250 GPM Tm Pumper to Kovatch Mobile Equipment (KME) Corp. Of Nesquehoning, PA, in the amount of \$432,624, in accordance with their bid dated October 28, 2011.

Mr. Gaechter seconded the motion. Upon roll call,

Ayes: Gaechter, DeBoer, Bassani Nays: None Absent: None Abstain: None

Mr. Bassani moved to award the following contracts:

- ≡ Radio equipment, under Morris County Cooperative Pricing council in the amount of \$15,581.30 to Atlantic communications of Hopatcong, NJ
- ≡ Miscellaneous equipment listed under MCCPC Contract #40, in the amount of \$47,355.34, to Firefighter One of Sparta, NJ
- ≡ Self-contained Breathing Apparatus Equipment Contract under MCCP for New Truck, to Firefighter One of Sparta, NJ in the amount of \$45,649.10
- ≡ Balance of Equipment Needed, Not under MCCPC, as quoted on Proposal Dated 9/23/2011 in the amount of \$5,395.33, to Firefighter One of Sparta, NJ.

Mr. Gaechter seconded the motion. Upon roll call,

Ayes: Gaechter, DeBoer, Bassani Nays: None Absent: None Abstain: None

**Renewal of Membership in Statewide Insurance Fund:**

Mr. Gaechter moved to approve the resolution of Membership Renewal in the Statewide Insurance Fund, and authorize the Mayor and Clerk to sign the Indemnity and Trust Agreement for same.

Mr. Bassani seconded the motion. Upon roll call,

Ayes: Gaechter, DeBoer, Bassani Nays: None Absent: None Abstain: None

**Construction Fee Amendment:** No action was taken with respect to this proposal. Mr. Bassani stated he would speak with Construction Official Patrick Stefanelli.

**Introduction of Ordinance 2011-12: Solar Energy Ordinance**

General review took place regarding the wording of the draft for Ordinance 2011-12. Various suggestions for changes within the text of the ordinance were reviewed and agreed upon prior to Introduction. The revised, Proposed Ordinance 2011-12 was presented for consideration of introduction to the governing body.

Mr. Bassani moved to introduce on first reading, Ordinance 2011-12 entitled "AN ORDINANCE AMENDING CHAPTER 13 OF THE COMPREHENSIVE LAND USE ORDINANCE OF THE TOWNSHIP OF WANTAGE TO PERMIT AND REGULATE MINOR SOLAR ENERGY SYSTEMS AND TO ALLOW MAJOR SOLAR ENERGY SYSTEMS AS A CONDITIONALLY PERMITTED USE", with a final hearing date scheduled for December 8, 2011.

Mr. Gaechter seconded the motion. Upon roll call,

Ayes: Gaechter, DeBoer, Bassani Nays: None Absent: None Abstain: None

**Introduction of Ordinance 2011-13: Wind Energy Ordinance**

General review took place regarding the wording of the draft for Ordinance 2011-13. Various suggestions for changes within the text of the ordinance were reviewed and agreed upon prior to Introduction. The revised, Proposed Ordinance 2011-13 was presented for consideration of introduction to the governing body.

Mr. Gaechter moved to introduce on first reading, Ordinance 2011-13 entitled "AN ORDINANCE AMENDING CHAPTER 13 OF THE COMPREHENSIVE LAND USE ORDINANCE OF THE TOWNSHIP OF WANTAGE TO PERMIT AND REGULATE SMALL WIND ENERGY SYSTEMS AS A CONDITIONALLY PERMITTED USE", with a final hearing date scheduled for December 8, 2011. Mr. Bassani seconded the motion. Upon roll call,

Ayes: Gaechter, DeBoer, Bassani Nays: None Absent: None Abstain: None

**Introduction of Ordinance 2011-16: Wood Burning Stove Ordinance**

General review took place regarding the wording of the draft for Ordinance 2011-16.

Mr. Gaechter moved to introduce on first reading, Ordinance 2011-16 entitled "AN ORDINANCE AMENDING CHAPTER 13 OF THE COMPREHENSIVE LAND USE ORDINANCE OF THE TOWNSHIP OF WANTAGE TO PERMIT AND REGULATE OUTDOOR WOOD BURNING FURNACES", with a final hearing date scheduled for December 8, 2011.

Mr. Bassani seconded the motion. Upon roll call,

Ayes: Gaechter, DeBoer, Bassani Nays: None Absent: None Abstain: None

**NEW BUSINESS**

**Final Adoption of Ordinance 2011-14: Recreation Fee**

Mr. Gaechter moved to adopt on final reading, Ordinance 2011-14, entitled "AN ORDINANCE AMENDING CHAPTER XXI, FEES, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WANTAGE". Mr. Bassani seconded the motion.

Prior to final roll call, Mayor DeBoer opened the meeting to the public for any questions or comments with respect to this proposed Ordinance. There being no one present wishing to address the governing body on this matter, the Mayor closed the meeting to the public and requested a roll call vote. Upon roll call,

Ayes: Gaechter, DeBoer, Bassani Nays: None Absent: None Abstain: None

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**Approval of Minutes:** Mr. Bassani moved to approve the minutes of the Regular and Executive session minutes of the Wantage governing body meeting held on October 27, 2011. Mr. Gaechter seconded the motion. Upon roll call,  
Ayes: Gaechter, DeBoer, Bassani Nays: None Absent: None Abstain: None

**OPEN PUBLIC SESSION**

Mayor DeBoer opened the meeting to the public at this time, for any questions or comments involving the good and welfare of the community.

Karen Merritt, Alpine Road, expressed her thanks to the DPW for picking up branches from curbside as part of the post-storm clean up from the recent severe weather event. Ms. Merritt also offered input regarding the topic of proposed construction department fees. Mr. Bassani indicated his intention to follow up with Construction Official Patrick Stefanelli on this matter.

William Gettler, Gemmer Road, offered views concerning the issue of Sustainable Development, and expressed of unhappiness with actions of a poll worker on Election Day.

**EXECUTIVE SESSION**

Mr. Bassani moved to enter into closed executive session as follows:

WHEREAS, the Open Public Meetings Act, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and  
WHEREAS, this public body is of the opinion that such circumstances presently exist;  
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Wantage, that the public shall be excluded from discussion of the following matters:  
Matters falling within the attorney-client privilege; Negotiations; Gorman Litigation  
BE IT FURTHER RESOLVED, that Minutes will be kept on file in the municipal clerk's office, and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes shall be made public.

Mr. Gaechter seconded the motion. Upon roll call,  
Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

After meeting in closed executive session, Mr. Bassani moved to return to open session and continue with the regular course of action. Mr. Gaechter seconded the motion. Upon roll call,  
Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

**Introduction of Ordinance 2011-15: Salary Amendment**

Mr. Bassani moved to introduce on first reading, Ordinance 2011-15 entitled "ORDINANCE FIXING THE SALARIES OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF WANTAGE, COUNTY OF SUSSEX AND STATE OF NEW JERSEY, FOR THE YEAR 2011 and 2012", with a final hearing date scheduled for December 8, 2011.

Mr. Gaechter seconded the motion. Upon roll call,  
Ayes: Gaechter, DeBoer, Bassani Nays: None Absent: None Abstain: None

**ADJOURNMENT**

There being no further items for the attention of the governing body, Mr. Bassani moved to adjourn the meeting. Mr. Gaechter seconded the motion. Upon roll call,  
Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

Mayor DeBoer declared this meeting adjourned.