

**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 JANUARY 26, 2012**

Mayor Gaechter 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 Gaechter, Committeeman DeBoer, and Committeeman Bassani. The following members were absent: None. Also Present: Township Attorney Michael Garofalo; Township Engineer Harold Pellow; DPW Supervisor Bob Wagner.

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

CONSENT AGENDA

Mayor Gaechter requested that the members of the Committee review the Consent Agenda.

Mayor Gaechter requested that Item #6, authorization for signing the Service Agreement with Sussex Fire Department, be removed from the Consent Agenda and be given separate consideration. There being no one else wishing to comment on the proposed Consent Agenda, Mayor Gaechter requested approval of the Consent Agenda as adjusted.

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

Construction Department Report for December 2011

Board of Health Report for December 2011

Clerk's Report for December 2011

Tax Collector Report for December 2011

Registrar Report for December 2011

Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize Transfer of Budget Appropriation Reserves of \$2,000 to Vehicle Maintenance/Repair and Road OE, from Buildings and Grounds.

Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to approve Payment of Bill List dated January 26, 2012

Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize the refund of \$2,500.00 to US Bank for Tax Sale Premium, Block 99 Lot 9 and \$5,100.00 to US Bank for Tax Sale Premium, Block 153 Lot 4

Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize the refund of \$100.00 to Harold Granata for Building Permit 11-706 for project not to be completed Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize the refund of Escrow in the amount of \$2,383.00 to Alice & Joseph Retz for L-28-2006, Block 132 Lot 3.20, for completed Land Use Application

Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to confirm the refund of tax appeal in the amount of \$1,547.36 to William S. Winters, Esq. for Tax Appeal on Block 42 Lot 7.08.

Mr. DeBoer seconded the motion. Upon roll call,

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

PAGE TWO OF THE MINUTES OF JANUARY 26, 2012

CONSENT AGENDA, Continued

Mr. Bassani moved to approve Membership application of Thea Ann Demarest of Wantage, NJ, for membership in the Wantage Township First Aid Squad.

Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to approve the renewal of Kennel License for Ellen & Roger titus, d/b/a Highpocket Hounds, for the year 2012. Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to approve the renewal of 2012 Junkyard License to Beemerville Auto Wrecking. Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to approve renewal application for Amusement Device License to Pleasant Acres Farm Campground for the year 2012. Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to approve Renewal of Dog Pound Agreement with Lafayette Township for the year 2012. Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to approve the Renewal of Animal control and Dog Pound Agreement with Hardyston Township for the year 2012. Mr. DeBoer seconded the motion. Upon roll call,

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

SIGNING OF FIRE DEPARTMENT SERVICE AGREEMENT

Mr. DeBoer moved to authorize the Mayor to sign the Service Response Agreement between the Township of Wantage, the Wantage Township Fire Department, and the Sussex Borough Volunteer Fire Department, Inc., for a term running through December 31, 2016.

Mr. Bassani seconded the motion. Upon roll call,

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

At this time, Mayor Gaechter signed the agreement with Wantage Fire Chief John Cannici and Sussex Fire Chief Daniel Stoll. Mayor Gaechter congratulated the Fire Chiefs and their departments for successfully negotiating the terms of this contract renewal.

ADMINISTRATOR REPORT

Mr. Doherty recommended the governing body give consideration to the introduction of Ordinance 2012-01, which would establish a permit renewal fee for the various sub-codes of the Uniform Construction Code. General discussion took place regarding this suggestion.

Mr. Bassani moved to introduce on first reading, Ordinance 2012-01, entitled "AN ORDINANCE AMENDING CHAPTER XXI, FEES, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WANTAGE", with a final adoption date proposed for February 9, 2012. Mr. DeBoer seconded the motion. Upon roll call,

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

Bus Stop Concern - Intersection of Decker Road and Route 519: General discussion took place regarding this matter. Mayor Gaechter requested the Administrator to contact the Sussex Wantage Board of Education and ascertain the status of a prior request involving the relocating of this bus stop to a different location.

Drainage Problem on Ryan Road: General discussion and review took place regarding this matter among the members of the governing body and Township Engineer Harold Pellow regarding the drainage concerns previously raised by Mr. Craig of Ryan Road. After general review and consideration of options, the members of the governing body agreed it would be appropriate for the members of the governing body to give further consideration and contemplation of this matter before deciding upon a course of action.

PAGE THREE OF THE MINUTES OF JANUARY 26, 2012

ADMINISTRATOR REPORT, Continued

Request For Executive Session: Mr. Doherty reported that Mr. Bassani has requested an executive session to discuss the status of all pending litigation involving Wantage Township.

Negotiations: Mr. Doherty requested an executive session to discuss status of employee union negotiations.

Potential Shared Service Ventures: Mr. Doherty requested an executive session to report on the status of various shared service ventures, involving the fire Prevention Bureau, Recycling Coordinator, and Tax Collector.

Clarification of Appointment: Mr. Doherty explained that at the Organization Meeting, the appointment of Duane Armstrong should have been made to the Board of Recreation Commissioners, rather than Karen Merritt, who already is serving a valid term on the board.

Mr. DeBoer moved to confirm the appointment of Duane Armstrong to a term on the Recreation Commission, running through 12/31/2016. Mr. Bassani seconded the motion. Upon roll call, Ayes: DeBoer, Bassani, Gaechter Nays: None Absent: None Abstain: None

Tax Lien Foreclosure Suggestion: Mr. Doherty reviewed a suggestion for proceeding in In Rem Tax Foreclosure proceedings on various properties in Wantage. The members of the governing body expressed consensus in principal with the suggestion made, and requested Mr. Doherty to proceed with preparing a more in depth report and analysis of the proposed course of action, for further consideration.

Options for Satisfying Affordable Housing Unit Obligations: Mr. Doherty reviewed a potential course of action for two of the properties that would be included on the In Rem Tax Foreclosure list, which would assign one currently constructed single family home as a deed restricted affordable housing unit, and which would donate a tract of land to Habitat for Humanity for the construction of another affordable housing unit within Wantage Township, as a means by which to take pro-active steps to meet the Township's affordable housing obligations. The members of the governing body expressed interest in principal with the suggestion made, and requested Mr. Doherty to prepare a more in depth report and analysis of the proposed course of action, for further consideration.

Compliance Plan: Mr. Doherty reported that at the Budget preparation meeting of January 19, the members of the governing body indicated that the topic of a Compliance Plan would be discussed at the meeting of January 26. Mr. Doherty offered the opportunity at this time for the governing body to hold that discussion, if desired.

Mayor Gaechter stated his belief that the best course of action for this topic would be to open the meeting to the public and allow the members of the public to have their say on this subject. Before doing so, Mayor Gaechter stated that contrary to the information being presented in newspaper stories, the compliance plan is already implemented, having been approved by the County Tax Board. Mayor Gaechter clarified the relationship between the governing body and a Tax Assessor, explaining that the Assessor is a statutory official who acts under the jurisdiction of the New Jersey Division of Taxation. As such, the Assessor is an autonomous individual and the governing body has no ability to involve itself in the assessment process. Mayor Gaechter informed the public that all comments expressed this evening would be forwarded to the Sussex County Board of Taxation to make sure the county knows the sentiments of the Wantage public. Mayor Gaechter opened the meeting to the public at this time for the purpose of hearing input on the topic of the Compliance Plan.

Mr. William Gettler, Gemmer Road, spoke in opposition to the Compliance Plan.

Ms. Karen Merritt, expressed her disappointment that the Tax Assessor was not present this evening, and spoke in favor of the proposed Compliance Plan.

Mr. Doug Johansen, Lott road, spoke in opposition to the Compliance Plan.

Mr. Don McGlew, Pidgeon Hill Road, inquired if this Compliance Plan was legal.

Mr. Garofalo stated that it was legal.

PAGE FOUR OF THE MINUTES OF JANUARY 26, 2012

COMPLIANCE PLAN OPEN SESSION, continued

A resident of Clove Hill Manor spoke in favor of the Compliance Plan.

Mayor Gaechter and Mr. DeBoer clarified that this plan was not enacted by the governing body.

Ms. Joan Gengaro, 2 Horizon court, requested additional information regarding the plan. After receiving that information, Ms. Gengaro spoke in favor of the plan.

Mr. DeBoer offered a status update on the efforts to secure bonds for completion of the improvements needed at Clove Hill Manor.

Mr. William Gettler again spoke in opposition to the plan.

Mr. Michael Rainer, 118 Moore Road, spoke in opposition to the plan.

The members of the governing body and general public then commenced a discussion regarding the reasons why a town-wide revaluation or reassessment was not being pursued in Wantage Township.

Mr. Nick Luciano spoke in favor of the plan, and offered details regarding his property which he believes has affected his property value.

Mr. Douglas Ricker, Beemer Road, expressed an opinion that everyone in Wantage should pursue a tax appeal, offered comments on the manner in which the compliance plan was filed, and offered thanks to Mr. Gettler for promoting information about this subject.

Mr. Ken Cooper, August Lane, spoke in opposition to the plan, and asked why the plan was implemented.

Mr. Bassani responded to this question, offering background information on the course of action taken by the Tax Assessor and the County Tax Board.

General discussion once again took place among the members of the governing body and the members of the public present, regarding the pros and cons of this plan.

Mr. Matthew Toy, Lake Neepaulin, spoke in favor of the plan.

Ms. Diane Snure, Mount Salem Road, spoke in opposition to the plan, and requested an explanation of the Reserve For Uncollected Taxes.

Mr. Doherty offered an explanation of the Reserve For Uncollected Taxes.

Ms. Snure expressed concerns with the application as it was filled out and submitted to the County Tax Board for this plan.

Mr. Ken Tuit, Wolf Pit Road, spoke in opposition to this plan.

Mr. William Gettler again spoke in opposition to the plan.

General discussion continued at this time regarding the topic of jurisdiction for filing the plan, ability to challenge the plan, and means by which to protest the plan. Mr. Garofalo offered legal input regarding the limitations placed upon the local elected officials for becoming involved in this matter.

Mr. Rudy Solar asked regarding how an appointment is made to the County Tax Board; Mr. Garofalo responded. Mr. Solar expressed a belief that Senator Oroho should be contacted for the purpose of seeking different appointees to that board.

General discussion continued among all parties regarding the process for pursuing appeals and challenges to this plan.

Mr. William Gettler once again offered input regarding his views in opposition to this plan.

PAGE FIVE OF THE MINUTES OF JANUARY 26, 2012

COMPLIANCE PLAN OPEN SESSION, continued

Mr. Jeff Kuchta requested further details regarding why Wantage could not pursue a full revaluation program. Mr. Garofalo explained that there were 12 factors reviewed to determine when a revaluation is appropriate for consideration, and Wantage Township failed to qualify for any of those factors.

General discussion on this topic continued.

Ms. Karen Merritt asked if her understanding was correct, that the town-wide Reassessment was not implemented because of a failure to pursue it within a given time period after the 2006 Revaluation was completed.

Mayor Gaechter explained that it is more accurate to state that none of the factors to support a town-wide Reassessment were available during the five years following the 2006 Revaluation. For this reason, no window of opportunity was lost, as the opportunity never existed to begin with based on the criteria used by the County of Sussex and the State of New Jersey.

Mr. Douglas Ricker expressed a desire for the governing body to meet with Senator Oroho.

Ms. Becky Schwarz spoke in opposition to the plan.

A resident from Route 519, asked for information regarding how to file a tax appeal.

Mr. Garofalo explained that the forms and instructions are available through the Sussex County Board of Taxation.

Ms. Cheryl Novak, Route 284, expressed a belief that a coordinated citizen action drive is necessary to address this issue.

Mayor Gaechter thanked all members of the public for their input on this matter, and closed the meeting to the public.

ATTORNEY REPORT: None

COMMITTEE REPORTS:

Mr. DeBoer requested Mr. Doherty to contact JCP&L for the purpose of requesting a status follow up on his recent meeting with JPC&L, Sussex Rural Electric, and Vernon Mayor Vic Marotta regarding a desire to explore possible changes to the service territory of the power companies.

OLD BUSINESS

BUDGET PREPARATION WORK SESSION

The members of the governing body conducted a budget work session to review capital projects and funding plans for the 2012 municipal budget. Township Engineer Harold Pellow reviewed proposed road improvements; DPW Supervisor Bob Wagner and DPW Mechanic John Card reviewed the need for replacing various DPW vehicles and items of equipment.

Mr. Bassani suggested the Township Administrator revisit the Budget with specific proposals on how to reduce the budget for 2012 by either 5% or 10%. General discussion took place on this suggestion.

Mr. Doherty proposed to hold another budget work session on February 7, 2012 at 9:00 a.m. The members of the governing body agreed with this suggestion.

NEW BUSINESS

Approval of Minutes

Mr. DeBoer moved to approve the minutes of the meetings of the Wantage governing body held on January 5, 2012 and January 19, 2012.

Mr. Bassani seconded the motion. Upon roll call,

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

OPEN PUBLIC SESSION

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

Ms. Karen Merritt, Alpine Road, asked for details regarding the In Rem Tax Foreclosure issue discussed earlier. The governing body responded.

Ms. Becky Schwarz expressed a desire to have Pond School Road improved.

Ms. Kathy Gorman inquired when the Old Clove Road bridge would be repaired. Mr. Pellow explained that the necessary NJDEP permit was just received, so his office would be proceeding with a bid announcement in February, with a contract award anticipated in March.

A member of the public inquired regarding the anticipated cost for a floor to be placed on the current cold storage shed of the DPW, which was part of the Budget work session discussions. Mr. Doherty responded.

Ms. Kathy Gorman expressed concern with the number of trees left in disarray along the cleared right of way by SREC on Libertyville and Old Clove Road.

Mr. Matthew Toy expressed concerns about property damage done along Old Clove Road because of the damaged bridge. Mr. Pellow addressed these concerns.

Mr. William Gettler offered his views regarding the proposed school and county budgets.

There being no one else present wishing to address the governing body at this time, Mayor Gaechter closed the meeting to the public.

MISCELLANEOUS

Mr. Bassani asked Mr. Doherty to contact the Fire Departments and First Aid Squad to obtain further details on their proposed 2012 budgets, in follow up to discussions with these groups held at the January 19 budget work session.

Mr. Bassani asked for an update on the Alarm Monitoring RFP. Mr. Doherty responded.

Mr. Bassani expressed a desire to further analyze the long range vehicle replacement schedule of the Township to ascertain if it was possible to adjust the plan, to provide longer time spans before replacing vehicles without compromising safety concerns. General discussion took place at this time regarding Mr. Bassani's suggestion.

Mr. Bassani initiated a discussion regarding the need for residents to obtain permits for wood burning stoves, citing a recent fire event in the community as a cautionary tale for negative consequences when such permits are not obtained.

After general discussion, the members of the governing body requested Mr. Doherty to have the Construction Official compose a message to the public, for posting on the Township website, urging all persons to obtain permits for wood burning stoves, explaining the dangers involved if no inspections take place, insurance liability for an unpermitted stove, and any other factors relevant to the public message being posted.

Mr. Bassani inquired if it was legally permissible for the Township to consider waiving late payment penalty fees for tax payments in the event of hardship situations. Mr. Garofalo agreed to provide a legal opinion in response to the question being posed.

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:
Negotiations regarding potential shared service ventures; negotiations with employee unions for collective bargaining agreements; ON-going litigation involving Gorman.
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. DeBoer seconded the motion. Upon roll call,

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

After meeting in closed executive session, Mayor Gaechter declared the meeting reconvened in open session and the governing body returned to the regular agenda.

Mr. Bassani moved to authorize the Mayor to sign a Shared Services Contract with Frankford Township for Wantage to provide Recycling Coordinator services to Frankford for the year 2012. Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize the Mayor to sign a Shared Services Contract with Vernon Township for Vernon to provide Fire Prevention Bureau services to Wantage, commencing July 1, 2012. Mr. DeBoer seconded the motion. Upon roll call,

Ayes: Bassani, DeBoer, Gaechter 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. DeBoer seconded the motion. Upon roll call,

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

Mayor Gaechter declared this meeting adjourned.

James R. Doherty, Municipal Clerk