

**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 AUGUST 16, 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

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.

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

Construction Department Report for July 2012

Tax Collector Report for July 2012

Municipal Clerk Report for July 2012

Board of Health Report for July 2012

Registrar's Report for July 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 following Applications:

— Raffle License RL12-19, for St. Monica's RC Church, to hold an Off Premise 50/50 Raffle Drawing on November 16, 2012 at High Point Regional High School.

— Raffle License RL12-20, for St. Monica's RC Church, to hold an On Premise Merchandise Raffle Drawing on November 16, 2012 at High Point Regional High School.

— Raffle License RL12-21, for BPOE #2288 Sussex Lodge, to hold an On Premise 50/50 Raffle Drawing on October 7, 2012 at Woodbourne Park.

— Raffle License RL12-1922 for St. Monica's RC Church, to hold an On Premise Merchandise Raffle Drawing on October 7, 2012 at Woodbourne Park.

Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to approve the Payment of Bills for the meeting of August 16, 2012.

Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to acknowledge Receipt of the CFO Corrective Action Plan in response to the Report of Audit for Calendar Year 2011. Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to endorse the Request of the Wantage Township First Aid Squad to hold a Coin Toss fundraiser at McCoy's Corner on August 31, September 1 and September 2.

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 \$25 to Claudine Dinapoli, for reimbursement of a Food Handles License Application fee for a fee submitted in error.

Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize Membership Application in the Wantage Township First Aid Squad for Shawn Davis of Wantage, NJ. Mr. DeBoer seconded the motion. Upon roll call,

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

PAGE TWO OF THE MINUTES OF AUGUST 16, 2012

Mr. Bassani moved to authorize award of contract to Fischer Brothers of Rockaway, NJ, who submitted the low quote for the project entitled Guide Rail Improvements on Layton Road in the amount of \$17,419.80. Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize the Award of contract through the Morris County Cooperative Pricing Council, to Tilcon New York of Wharton, NJ, for the project entitled Milling and Paving of Alder Terrace and Lakeview Drive, in the amount of \$84,046.27

Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to acknowledge Notification from the Heritage & Agriculture Association regarding plans to hold a 5K Run as a fundraiser for Lusscroft on October 6, 2012 on Neilson Road.

Mr. DeBoer seconded the motion. Upon roll call,

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

ADMINISTRATOR REPORT

Sale of Block 102 Lot 3

Mr. Doherty presented a proposed resolution for the purpose of authorizing the Mayor to sign documents for the conveyance of Block 102 Lot 3 to adjoining property owners.

Mr. Bassani moved to adopt the following Resolution:

WHEREAS, the Township of Wantage has authorized a private sale of surplus municipal property pursuant to N.J.S.A. 40A:12-13 et seq.,

WHEREAS, the following sale has been authorized:

Sale of Block 102, Lot 3:

Amount: \$450.00

Property to Be Sold To: Perry and Sharon Little

Deposit Received: \$100.00 check

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Wantage, that the governing body does hereby accept the sale of Block 102 Lot 3 as shown above, and authorizes the municipal attorney to proceed with the necessary actions to secure the sale of the said property lot as shown above.

Mr. DeBoer seconded the motion. Upon roll call,

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

Passaic County Energy Pricing Cooperative

The members of the governing body and Mr. Doherty discussed the pros and cons of joining this cooperative. After general discussion, it was agreed that Mr. Doherty would confirm whether or not a minimum membership term was required, and if an opt out clause is available, prior to action being taken on this proposal.

Poundkeeper / Inspector

Acting on the Recommendation made by Mr. Doherty, Mr. DeBoer moved to hire Lisa Deutsch to the position of Poundkeeper/Inspector for a 20 hour work week at a rate of \$11 per hour, beginning August 23, 2012. Mr. Bassani seconded the motion. Upon roll call,

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

Water/Sewer Shared Service Status

Mr. Doherty reported on discussions he is having with Sussex Borough's Administrator, and offered a historical background explanation, regarding a former shared services contract between Wantage and Sussex involving water and sewer service which is being renegotiated. Mr. Doherty explained that the circumstances which called for an agreement between the two local governments is not currently of immediate concern, and the service being provided to Wantage residents remains unaffected by whether or not such a shared service agreement is in place.

ADMINISTRATOR REPORT, Continued

Clove Hill Manor Roads

Mr. Doherty reported that Mr. DeBoer expressed a desire to address the issue of future ownership of the Clove Hill Manor Roads, so that the issue was clearly understood by all parties. Mr. Doherty offered background information from 2004-05 which reflected that the plans at that time were for the roads to be accepted as private roads, with the Homeowner Association making application for salting and plowing service through the Municipal Services Act once the street improvements had been completed. Upon inquiry earlier this week, Mr. Doherty received input from both the Land Use Board Engineer and Land Use Attorney that they had nothing in their records which would change the information from 2004-05.

Mr. Doherty stated that the historical information on file tends to support the intention for acceptance of the roads as being private roads rather than public roads, but at the same time, his reading of the Developer Agreement and Approving Resolution appeared to leave the issue open for interpretation, so he was presenting the issue to the governing body for their direction on this matter, moving forward.

Mr. DeBoer stated that he continues to support the position that the Township would salt and plow these roads in Clove Hill Manor once the final improvements have been completed, but that the intention to have the roads accepted as private appeared to be appropriate.

At Mr. DeBoer's request, Mayor Gaechter invited Mr. Bill Semmens to speak on behalf of the Clove Hill Manor's Homeowners Association. Mr. Semmens requested the Township take over ownership of the roads, citing the extent of taxes being paid by these property owners. Mr. Semmens also requested the Township provide a letter of intent to the Homeowners Association because the Developer was indicating such a letter was needed in order to move forward with final improvements.

General discussion took place among the members of the governing body, Mr. Garofalo, and Mr. Semmens on this topic.

Mr. Garofalo suggested that the Homeowners Association resist and reject efforts by the developer to place any conditions upon the Association with respect to completion of the road improvements.

The members of the governing body requested Mr. Garofalo to follow up with the Developer for the purpose of ascertaining when the final improvements to the roads would be completed.

ATTORNEY REPORT: Mr. Garofalo offered a brief update regarding COAH fees and the impact of court cases on the State's efforts to seize local COAH funds.

COMMITTEE REPORTS:

Mr. DeBoer offered further comments on the need to address completion of final improvements for the Clove hill Manor roads, in the interests of public safety and emergency response.

Mayor Gaechter offered the following Proclamation:

WHEREAS, Mackenzie Arnold has achieved the rank of Eagle Scout, which represents an accomplishment of high regard within the Wantage Community, and
WHEREAS, as a member of Boy Scout Troop 84, Mackenzie has held numerous Leadership positions in the troop, and
WHEREAS, Mackenzie has distinguished himself through on-going service to his community, and
WHEREAS, Mackenzie has actively participated in his Troop activities and has provided mentoring for many younger Boy Scouts, and
WHEREAS, such a fine record of accomplishment is worthy of praise and recognition,
NOW, THEREFORE, I, William GAECHTER, Mayor of the Township of Wantage, hereby offer my congratulations to Mackenzie Arnold for achieving the rank of Eagle Scout, and
BE IT FURTHER PROCLAIMED that the entire Wantage Community is hereby encouraged to join in the recognition of this fine accomplishment.

Mayor Gaechter offered an update report on the Reassessment Program issue, reporting that he attended a meeting of the Sussex County Tax Board last week at their invitation, and confirmed the board ordered the Reassessment Program and forwarded it to the State of action.

OLD BUSINESS: None

NEW BUSINESS

Final Adoption of Ordinance 2012-05: Salary Ordinance

Mr. Bassani moved to adopt on final reading, Ordinance 2012-05, 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 2012, AND AMENDING IN PART ORDINANCE 2011-05.” Mr. DeBoer seconded the motion.

Prior to final roll call, Mayor Gaechter opened the meeting to the public for any questions or comments with respect to this proposed Ordinance.

William Gettler, Gemmer Road, inquired regarding the Recycling Coordinator salary.

Mr. Gettler expressed a desire to have the positions of Administrator and Clerk separated in the Salary Ordinance based on his concerns involving tenured position versus non-tenured position.

Mr. Doherty offered an explanation response regarding the Recycling Coordinator position.

Mayor Gaechter and Mr. Doherty explained that the compensation levels for the separate positions are specified in the employment contract for Mr. Doherty so there is no need to do so in the salary ordinance.

Ann Smulewicz, Route 23, expressed concerns regarding the level of compensation for the Land Use Board Secretary, expressing the belief that the position ought to be a part time position. General discussion took place at this time between all three members of the governing body and Mrs. Smulewicz regarding staffing levels and compensation. Mayor Gaechter and Mr. DeBoer indicated that review of staffing patterns is ongoing, and Mr. Bassani pointed out that the Salary Ordinance being adopted is the result of negotiations completed which have successfully ensured drastic future taxpayer savings through future health benefits costs for any new employees hired.

There being no one else present wishing to address the governing body, Mayor Gaechter closed the meeting to the public and requested a roll call vote on the motion. Upon roll call,
Ayes: Bassani, DeBoer, Gaechter Nays: None Absent: None Abstain: None

Upon roll call,
Ayes: Bassani, DeBoer, Gaechter Nays: None Absent: None Abstain: None

Approval of Minutes

Mr. DeBoer moved to approve the Regular and Executive Session minutes of July 26, 2012. Mr. Bassani seconded the motion. Upon roll call,
Ayes: Bassani, DeBoer, 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.

Mrs. Smulewicz held discussion with the members of the governing body regarding the topic of a Reassessment program versus a Revaluation program. Mrs. Smulewicz offered her opinion regarding the ability of a new Tax Assessor to handle a Reassessment program. Mrs. Smulewicz concluded that she would prefer to see a town-wide Revaluation.

PAGE FIVE OF THE MINUTES OF AUGUST 16, 2012

OPEN SESSION, Continued

William Gettler, Gemmer Road, offered his views regarding the Compliance Plan issue. Mr. Bassani, Mr. DeBoer and Mayor Gaechter offered clarifying comments regarding the information being offered by Mr. Gettler on this topic.

Mr. Gettler then offered his views regarding the process of pursuing the Wantage Reassessment application at the county level; his views regarding the water and sewer shared services agreement between Wantage and Sussex; his views regarding the status of Lake Rutherford as a water source; the status of the roads at Clove Hill Manor; tax assessment status of common property at Clove Hill Manor; his views and input regarding the Lake Neepaulin Dam litigation; and his views regarding an OPRA response he received from Mr. Doherty. The members of the governing body engaged Mr. Gettler regarding his various discussion points on his stated views.

Henry DeVries offered comments regarding Clove Hill Manor taxes and roads, stating that he was led to believe by the developer that the Sewer plant was owned and operated by SCMUA and that the town would accept the roads.

Mrs. Smulewicz commented that Mr. Doherty had responded acceptably to several of her OPRA requests, and expressed concerns regarding activities by Rachel Manor which have impacted drainage on her property. Mrs. Smulewicz expressed dissatisfaction with a response comment she received from the Land Use Board with respect to this issue.

There being no one else present wishing to address the governing body at this time, Mayor Gaechter closed the meeting to the public and the governing body returned to the regular order of business.

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, Clerk