

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, NJ ON SEPTEMBER 26, 2013

Mayor Ronald Bassani 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 Ronald Bassani and Committeeman William DeBoer. The following members were absent: Gaechter. Also present: Attorney Michael Garofalo.

Mayor Bassani 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."

FLAG SALUTE

Mayor Bassani invited all persons present to participate in the Pledge of Allegiance to the United States Flag.

CONSENT AGENDA

Mayor Bassani requested that the governing body Review the Consent Agenda.

Mr. DeBoer moved to approve Raffle Application RA13-13 to Womans Club Sussex, to hold an On Premise Merchandise Raffle on November 13, 2013 at High Point Regional High School.

Mayor Bassani seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to approve Raffle Application RA13-18 to Friends of Lake Neepaulin, to hold an Off Premise 50/50 Raffle on November 24, 2013 at 51 South Shore Drive.

Mayor Bassani seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to authorize submission of chapter 159 Budget Amendment to the State of New Jersey Division of Local Government Services, reflecting award of \$27,600 Grant from the NJDEP Reforestation Project Grant, to plant 92 trees in Woodbourne Park.

Mayor Bassani seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to authorize Change Order No. 1 to the Contract with Denville Line Painting, for the project entitled "Line Striping Pigeon Hill Road – Section I", reflecting an additional \$1,562.46 in cost for extending traffic striping beyond original project boundaries to address faded line striping on road surface, and re-painting STOP bar and words where faded.

Mayor Bassani seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to authorize Change Order No. 1 to the Contract with Denville Line Painting, for the project entitled "Line Striping of Holland Road – Section II", reflecting a decrease of \$10.56 after on site adjustments to the linear feet involved in the project.

Mayor Bassani seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to authorize the Mayor and Clerk to sign Certificates of Exemptions for Wantage Fire Department members Justin VanderGroef, Russell Rome, Ty Klimas, Richard Smith, Ben Langevin, John Chirico, and Edward Litterio.

Mayor Bassani seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to authorize the refund of \$77,859.16 to US Bank, Block 52, Lot 4, for redemption of tax sale certificate 10-21 and \$13,488.02 to US Bank, Block 21.01, Lot 5, for redemption of tax sale certificate 11-18.

Mayor Bassani seconded the motion. Upon Roll call,

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

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CONSENT AGENDA, Continued

Mr. DeBoer moved to authorize the refund of \$50.00 to Alyssa Brarman, Block 116, Lot 6.13 for a certificate of habitability (corrects 9/12/13 Resolution erroneously naming Katherine Sheppard).

Mayor Bassani seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to authorize the refund of \$96.00 to Applied Services, Block 42 Lot 36 for Building Permit 12-260 and \$50.00 to Applied Services, Block 42 Lot 36 for Building Permit 12-59 for building permits on projects never completed.

Mayor Bassani seconded the motion. Upon Roll call,

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

Administrator's Report

Parking Lot Paving: The governing body confirmed their desire to proceed with this improvement under the Morris County Cooperative Pricing Council Contract Award, with Tilcon NY for \$46,698.15. Upon confirming motion by Mr. DeBoer and second by Mayor Bassani, with those present confirming in the affirmative, this contract was awarded.

Renaming A Portion of Turner Road: The governing body confirmed their desire to rename that portion of Turner Road intersecting with Rose Morrow Road, which will remain after the middle of the road is formally vacated, to be "Bluestone Road." Mr. Garofalo stated he would prepare the Road Vacation Ordinance with this direction offered.

Attorney's Report

Deed of Easement G&S Wantage Solar: Mr. Garofalo offered background explanation regarding the need to confirm authorization for the Mayor to sign a Deed of Easement referenced in the Developer's Agreement for G&S Wantage Solar LLC. Mr. Garofalo stated that he is going to anticipate a question regarding whether this action can be tied in with the on-going concerns regarding completion of Clove Hill Manor. Mr. Garofalo stated that it was not legally allowable for this action to be predicated on the Clove Hill Manor improvements being completed even though one of the principals involved in the Developer Agreement is also involved in the Clove Hill Manor development. By consensus, the governing body confirmed the Mayor's authorization to sign this Deed of Easement.

Clove Hill Manor: Discussion turned to the matter of completing the improvements at Clove Hill Manor. Mr. Garofalo outlined a proposed course of action to be followed in the event that efforts to call the Letter of Credit prove unsuccessful, but reminded the governing body that the first course of action will be for Mr. Doherty to make a formal effort to obtain the money necessary to complete the improvements by calling the Letter of Credit.

Open Space Negotiations Invitation Letter: Mr. Garofalo reported that he prepared a form letter which can be used by the Open Space Advisory Committee when inviting private property owners to consider a formal negotiation for purchase of land under Open Space, per the request of OSAC.

Cell Tower Feasibility at Town Hall: Mr. Garofalo followed up from last meeting by presenting a Right of Way agreement with Verizon for them to place a Crane at Town Hall, to simulate the height of a proposed Cell Tower for the Town Hall premises, which would enable all parties to understand the dimensions and view of the proposal.

Sale of Municipal Property: Mr. Garofalo stated that his office was involved in on-going closing activities regarding the sale of municipal property back to private individuals as authorized by the Township through the recent Sale of Property to adjoining property owners.

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Returning to the Issue of Clove Hill Manor: Mr. DeBoer requested that if a follow up letter needs to be sent to Mr. Maione in the event of Default of Developer and then failure to obtain funds through the Letter of Credit, that a “cc” copy notation be placed on that letter to include the governing body. Mr. Garofalo agreed to make sure this was done if the matter progresses to that point. Mayor Bassani and Mr. DeBoer confirmed their understanding and agreement that the first course of action in this matter would be for the Township to give the Bonding Company an opportunity to respond to the Calling of the Letter of Credit before any other action is authorized by the Township. Mayor Bassani inquired if Mr. Garofalo could think of any other options for action, besides those currently being taken and contemplated in this matter, which would accomplish the completion of the improvements by the parties responsible. Mr. Garofalo confirmed his belief that the current and proposed courses of action represented the extent of options available.

NEW BUSINESS

Best Management Practices

Mr. Doherty offered a detailed presentation of the questions and proposed responses of the Township to the 2013 Best Management Practices Survey of the State of New Jersey. Mr. Doherty reported that based on the number of answers in the affirmative, the Township is considered to be compliant with “Best Management Practices” and the State would not be withholding any of the State Aid due to the municipality. After general review and consideration, the governing body expressed their agreement and endorsement of the proposed responses as prepared by the Chief Finance Officer and Administrator.

Approval of Minutes

Mr. DeBoer moved to adopt the minutes of the Regular meeting held on September 12, 2013.

Mayor Bassani seconded the motion. Upon Roll call,

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

OPEN PUBLIC SESSION

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

General discussion took place among Mr. DeBoer, Mayor Bassani, Mr. Garofalo and several residents of the Clove Hill Manor development regarding the status of the Letter of Credit for this property, and various reports concerning the remaining improvements to be done at the development. Mayor Bassani and Mr. DeBoer stated their willingness to take whatever action is legally available to assist the residents in completing the road pavement project.

Diane Terraccino inquired regarding details of the current Letter of Credit on file by the Developer. Mayor Bassani, Mr. DeBoer and Mr. Garofalo offered comments on this topic as discussion continued.

Francis Franklin inquired if attorneys Mr. Garofalo and Mr. Ramsey are in contact with each other. Mr. Garofalo responded that when called upon to do so, he does communicate with Mr. Ramsey, but there is no on-going communication which has been authorized or required at this point. Mayor Bassani suggested if the Homeowners Association requires the assistance of the Township, Mr. Ramsey should contact Mr. Garofalo.

Ms. Franklin asked for greater details on the proposed cell tower at town hall. Mayor Bassani stated that it is a concept being reviewed at this time. Continued discussion took place, with Mayor Bassani explaining the governing body would balance the desire for additional revenue while taking into account that no depreciation of property values would be desired.

Joan Gengaro inquired if there were health concerns over cell towers. Mr. Garofalo explained that the New Jersey courts have ruled there are no health concerns. Mayor Bassani explained the Town Hall site was chosen by Verizon as a potential location for addressing dead spots in transmission taking place within Wantage, and a complete feasibility study will be done by the governing body to ensure that no stone is left unturned to find revenue opportunities to offset tax burden, while preserving the desire for property values

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Kathy Gorman inquired if this seemed to indicate Verizon was preparing to bring LTE into the county. Mayor Bassani speculated that such a conclusion appeared valid based on what he was seeing but only time would tell for certain.

Diane Terraccino inquired regarding the names of attorneys for the developer at Clove Hill Manor and for Mr. Maione. Mr. Garofalo responded.

There being no one else wishing to address the governing body, Mayor Bassani 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. Gaechter moved to adjourn the meeting. Mr. DeBoer seconded the motion. Upon Roll call,

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

Mayor Bassani declared this meeting adjourned.

Christine Von Oesen, Assistant Clerk