

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 NOVEMBER 14, 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 Committeemen William Gaechter and William DeBoer. The following members were absent: None. 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 the following reports for filing:

- Construction Department Report for the month of October, 2013
- Municipal Clerk Report for the month of October, 2013
- Tax Collector Department Report for the month of October, 2013
- Board of Health Report for the month of October, 2013
- Registrar's Report for the month of October, 2013
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Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to approve Payment of Bills for the meeting of November 14, 2013, excluding Purchase Order 10860 to Bassani Power Equipment.

Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to authorize Transfer of Budget Line Items totaling \$60,290 in accordance with provisions of the Municipal Budget Law, re-appropriating funds from certain budget line items where balances exist to line items in need of additional funding in the current calendar year, 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.

Clerk	5,600.00	Financial Administration	5,620.00
Salaries and Wages		Salaries and Wages	
01 201 20 120 010		01 201 20 130 010	
Land Use	8,450.00	Collection of Taxes	670.00
Salaries and Wages		Salaries and Wages	
01 201 21 180 010		01 201 20 145 010	
Land Use	12,240.00	Construction Official	2,020.00
Other Expenses		Salaries and Wages	
01 201 21 180 020		01 201 22 195 010	
Group Insurance	34,000.00	Fire Sub Code	1,610.00
Other Expenses		Salaries and Wages	
01 201 23 220 020		01 201 22 198 010	

CONSENT AGENDA, CONTINUED

Transfer Resolution, Continued

<u>FROM:</u>	<u>TO:</u>	
	Code Enforcement	12,735.00
	Salaries and Wages	
	01 201 22 200 010	
	Streets and Roads	18,070.00
	Salaries and Wages	
	01 201 26 290 010	
	Animal Control	12,300.00
	Salaries and Wages	
	01 201 27 340 010	
	Health and Welfare	360.00
	Salaries and Wages	
	01 201 27 330 010	
	Social Security	2,500.00
	Other Expenses	
	01 201 27 330 010	
	Workers Compensation OE	4,405.00
	Other Expenses	
	01 201 23 215 020	
Total Transfers:	60,290.00	60,290.00

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

Mr. DeBoer moved to authorize Cancellation of Capital Reserves on completed projects with balances remaining, in the amount of \$35,000, to fund current projects in need of said funds.
 Mr. Gaechter seconded the motion. Upon Roll call,
 Ayes: DeBoer, Gaechter, Bassani Nays: None Absent: None Abstain: None

Mr. DeBoer moved to authorize refund of cancelled building permit fees to Nancy Van Horn for Block 135 Lot 1 in the amount of \$74.00, and to Robert & Mariann Shelvin for Block 13.01 Lot 15, in the amount of \$50.00. Mr. Gaechter seconded the motion.
 Upon Roll call,
 Ayes: DeBoer, Gaechter, Bassani Nays: None Absent: None Abstain: None

Mr. DeBoer moved to authorize reimbursement of funds for redemption of a tax sale certificates, tax sale premiums and tax overpayments as follows:

- \$55,332.52 to Lien Times, LLC, Block 159 Lot 7.03, for tax sale certificate 11-54
- \$11,100.00 to Lien Times, LLC, Block 159 Lot 7.03, for tax sale premium
- \$27,024.85 to US Bank Block 135.06 Lot 4.05, for tax sale certificate 11-45
- \$ 6,000.00 to US Bank, Block 13506 Lot 4.05, for sale premium
- \$ 200.00 to US Bank, Block 91 Lot 15, for tax sale premium
- \$ 3,096.51 to Glenn & Tina Mania, Block 125 Lot 4.19 for tax overpayment

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

Mr. DeBoer moved to approve Accepting, with regrets, the resignation of Mario Poggi from the Recreation Commission. Mr. Gaechter seconded the motion. Upon Roll call,
 Ayes: DeBoer, Gaechter, Bassani Nays: None Absent: None Abstain: None

CONSENT AGENDA, Continued

Mr. DeBoer moved to approve Amending the Resolution of participation in the Governor’s Council on Alcoholism and Drug Abuse, extending said participation to June 30, 2014 to coincide with the Grant cycle term, as follows:

**Governor’s Council on Alcoholism and Drug Abuse
Fiscal Grant Extension January 1, 2014 to June 30, 2014**

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, non-profit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Township Committee of the Township of Wantage, County of Sussex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages: and therefore has an established Municipal Alliance Committee; and,

WHEREAS, \$12,716.00 was approved for a Municipal Alliance grant for the January 1, 2013 through December 31, 2013 grant term; and

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse extended the 2013 Grant term until June 30, 2014, in order to transition then grant to a fiscal year rather than calendar year cycle, and

WHEREAS, funding has been made available to Sussex-Wantage Municipal Alliance in the amount of 50% of its approved 2013 grant total for the six month extension period of January 1 2014 to June 30 2014, contingent upon meeting the 25% Cash match and 75% In-Kind Match grant requirement for the extension funding,

NOW, THERFORE, BE IT RESOLVED that the Township Committee of the Township of Wantage does hereby authorize the submission of the grant extension for the Sussex-Wantage Municipal Alliance grant in the amount of:

DEDR \$19,074.00 Cash Match \$4,768.50 In-Kind \$14,305.50

The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administration compliance and audit requirements.

Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to approve Change Order #1 on the project “Milling and Paving Armstrong Road”, reflecting a reduction in the contract amount of \$21,925.70 for field adjustment reductions in quantity of material needed on the project. Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to approve Change Order #1 on the project “Milling and Paving Lake Neepaulin Roads – Section II”, reflecting a reduction in the contract amount of \$11,473.47 for field adjustment reductions in quantity of material needed on the project.

Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to approve Change Order #1 on the project “Milling and Paving Wantage Township Municipal Building Parking Lot”, reflecting a reduction in the contract amount of \$1,446.48 for field adjustment reductions in quantity of material needed on the project.

Mr. Gaechter seconded the motion. Upon Roll call,

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

Payment of Bills

Mr. Gaechter moved to approve payment of the following bills:

- Bassani Power Equipment LLC, Purchase Order 10806, mower supplies \$38.97
- Bassani Power Equipment LLC, Purchase Order 10819, Leaf Blower, Chain Saw equipment, \$ 238.09
- Bassani Power Equipment LLC, Purchase Order 10860, Chain Saw Oil, \$ 21.90

Mr. DeBoer seconded the motion. Upon Roll call,

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

Administrator's Report

Concord Engineering 3rd Party Electric Option

Mr. Doherty offered an update report on this topic. General discussion took place. The governing body agreed to give further consideration to this concept in the future.

Cell Tower Feasibility Study

Mr. Doherty offered an update report on this topic. General discussion took place. The proposed date of November 19 was established for a Crane Test to simulate the height of a tower.

Lake Neepaulin Disbursements

Mr. Doherty offered an update report on this topic. .

Legal Advice Needed for Interpretation of Local Improvement Bond Law

Mr. Doherty requested an executive session to obtain legal advice under attorney client privilege on the applicability of the Local Improvement Bond Law as it applies to the Lake Neepaulin Dam Improvement.

Legal Advice Needed for Interpretation of GRC Decision on OPRA Lawsuit

Mr. Doherty reported that Mayor Bassani requests an executive session to obtain legal advice under attorney client privilege on the interpretation of the GRC Decision dated November 1, 2013 in the matter of William Gettler v. Township of Wantage.

Budget Planning as it impacts Personnel and Staffing

Mr. Doherty requested an executive session to discuss matters affecting the terms and conditions of employment of current employees of the Municipal Office Staff.

Committee Reports

Mr. DeBoer offered a report on a multi-jurisdiction Emergency Management Exercise conducted at High Point Regional High School two weeks previous, involving a simulated mass casualty drill. Mr. DeBoer congratulated the First Aid Squad, Fire Department, Emergency Management personnel and all other emergency responders who participated in the drill.

Mayor Bassani reminded all that the Emergency Management Coordinator Joe Konopinski would be coming to the December 12 meeting to offer a report on emergency management readiness within the Wantage community.

Mr. DeBoer also reported that the roads in Clove Hill Manor have been paved. Mr. Doherty reported the Township is awaiting a report of recommendation for final approval. Mr. Doherty advised it would be likely that the Homeowners Association should make plans for needing to handle plowing and salting of these roads for December and January. The governing body held general discussion on this matter.

Mr. Gaechter reported on informal discussion and conversation he had with Mayor Jon Rose of Sussex Borough on various topics such as the Route 23 Realignment and proposed development along the borders of Wantage and Sussex. The members of the governing body took this opportunity to hold a brief discussion with Sussex Borough Planner Ken Nelson and members of the public on this topic.

Mayor Bassani invited Mr. Doherty to keep the governing body up to speed on activities of the Friends of the Wantage Animal Shelter; suggested reviewing the Township's policy for attendance at the NJ League of Municipalities Convention, suggesting that some reimbursement of cost might be appropriate for consideration in the future; and named Lorraine Card to fill the vacant seat of Mario Poggi on the Recreation Commission for the remainder of the term, through 12/31/13.

Assessor Report

Kristy Lockburner offered an update report on the progress of the Township-wide Reassessment program being conducted.

OLD BUSINESS

Volcanic Hill Road: Petition for Acceptance as Public Road

General discussion took place regarding this topic. The members of the governing body reviewed the details of the request made by property owners of Volcanic Hill Road for consideration of the Township accepting the said road as a public street. Discussion with resident Ken Nelson and other residents took place. No action took place.

NEW BUSINESS

Introduction of Ordinance 2013-10: Salary Amendment

Mr. DeBoer moved to Introduce on first reading, an Ordinance entitled "AMENDMENT TO THE ORDINANCE FIXING THE SALARIES OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF WANTAGE, COUNTY OF SUSSEX AND STATE OF NEW JERSEY FOR THE YEAR 2013", with a final hearing date scheduled for December 12, 2013. Mr. Gaechter seconded the motion. Upon Roll call, Ayes: DeBoer, Gaechter, Bassani Nays: None Absent: None Abstain: None

Introduction of Ordinance 2013-11: Fully Funded Capital Ordinance for Dump Truck

Mr. Gaechter moved to Introduce on first reading, an Ordinance entitled "ORDINANCE APPROPRIATING THE SUM OF \$35,000 FOR THE PURCHASE OF DPW VEHICLE", with a final hearing date scheduled for December 12, 2013. Mr. DeBoer seconded the motion. Upon Roll call, Ayes: DeBoer, Gaechter, Bassani Nays: None Absent: None Abstain: None

Final Adoption of Ordinance 2013-09: Vacate Portion of Turner Road

Mr. DeBoer moved to adopt on final hearing, an Ordinance entitled "ORDINANCE TO VACATE A PORTION OF TURNER ROAD IN THE TOWNSHIP OF WANTAGE." Mr. Gaechter seconded the motion. Prior to final roll call vote, Mayor Bassani 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 at this time, Mayor Bassani closed the meeting to the public and requested a roll call vote. Upon Roll call,

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

Approval of Minutes

Mr. Gaechter moved to adopt the minutes of the Regular meeting held on October 24, 2013.

Mayor Bassani seconded the motion. Upon Roll call,

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

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.

Mr. Jose Alvez, a property owner on Spreen Road, expressed various issues and concerns he has experienced with a neighboring property owner. The Mayor invited Mr. Alvez to submit his concerns to the Township in writing, and to contact the NJDEP for concerns involving contamination. Mayor Bassani also requested Mr. Doherty have the Zoning Officer make a site inspection to ascertain if he sees any violations in need of correction.

Mr. Glen Ball, President of the Lake Windsor Homeowners Association, expressed agreement and support for the comments made by Mr. Alvez.

Mrs. Ann Smulewicz, Route 23, expressed her opposition to any plans for an expansion of the Wantage Dog Pound; suggested the Friends of the Wantage Animal Shelter should support private shelters rather than the Township Pound; expressed the opinion that the Township should not be involved with private groups such as the Friends of the Wantage Animal Shelter.

Mayor Bassani thanked Mrs. Smulewicz for her comments, observing his belief that situations in which the Township works together with private groups represents the essence of community, and therefore does not necessarily agree with Mrs. Smulewicz' position in that regard.

OPEN SESSION, Continued

Mrs. Smulewicz asked a question regarding the topic of land values. Mrs. Lockburner and Mayor Bassani offered responses.

Mrs. Kathy Gorman, Fernwood Road, asked a question regarding the number of animals being housed at the Dog Pound. Mr. Doherty offered a response.

Mr. Jack Hingel, American Way, offered observations regarding the road paving and proposed core testing of the Clove Hill Manor Roads.

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.

CLOSED EXECUTIVE SESSION

Mr. Gaechter 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:

- Legal advice under attorney client privilege on the applicability of the Local Improvement Bond Law as it applies to the Lake Neepaulin Dam Improvement.
- Legal advice under attorney client privilege on the interpretation of the GRC Decision dated November 1, 2013 in the matter of William Gettler v. Township of Wantage.
- Matters affecting the terms and conditions of employment of current employees of the Municipal Office Staff.

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

RETURN TO OPEN SESSION

Mr. Gaechter moved to return to regular open session and continue with the regular order of business. Mr. DeBoer seconded the motion. Upon Roll Call,

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

ADJOURNMENT

There being no further items for the attention of the governing body, Mr. DeBoer moved to adjourn the meeting. Mr. Gaechter seconded the motion. Upon Roll call,

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

Mayor Bassani declared this meeting adjourned.

James R. Doherty, Clerk