

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 DECEMBER 12, 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. Gaechter moved to approve the following reports for filing:

- Construction Department Report for the month of November, 2013
- Municipal Clerk Report for the month of November, 2013
- Tax Collector Department Report for the month of November, 2013
- Board of Health Report for the month of November, 2013
- Registrar's Report for the month of November, 2013

Mr. DeBoer seconded the motion. Upon Roll call,

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

Mr. Gaechter moved to approve Raffle Application RA13-19 to High Point Regional High School Booster Club, to conduct an Off Premise 50/50 Raffle on January 24, 2014 at High Point High School. Mr. DeBoer seconded the motion. Upon Roll call,

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

Mr. Gaechter moved to approve the Payment of Bills for the meeting of December 12, 2013, excluding Purchase Order 10948 to Bassani Power Equipment LLC

Mr. DeBoer seconded the motion. Upon Roll call,

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

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

- \$15,471.48 to US Bank, Block 124 Lot 1.10, for tax sale certificate 11-43
- \$ 3,400.00 to US Bank, Block 124 Lot 1.10, for sale premium
- \$ 803.51 to Karen Ermel, Esq. Block 10 Lot 2.01 for tax sale certificate 89-001

Mr. DeBoer seconded the motion. Upon Roll call,

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

Mr. Gaechter moved to authorize reimbursement of funds for tax overpayments resulted from 2013 Veteran's Deductions Allowed and Homestead Benefit Applied for:

- \$250.00 to Glen & Angela Garrity, Block 114, Lot 4.06 for tax overpayment
- \$250.00 to James McGoonan & Amanda Annos, Block 135 Lot 6.30 for tax overpayment
- \$536.32 to John Xi Chen Hopp, Block 53.07 Lot 4 for tax overpayment
- \$562.07 to Michael J. & Sally Del Corsano, Block 39, Lot 12.04 for tax overpayment
- \$677.03 to Gary & Marsh Roemer, Block 23 Lot 9.04 for tax overpayment
- \$643.62 to Helmut & Arlene Schreiber, Block 152 Lot 10 for tax overpayment

Mr. DeBoer seconded the motion. Upon Roll call,

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

CONSENT AGENDA Continued

Mr. Gaechter moved to approve Renewal of Kennel License to Jeffrey D. Davis of 23 Gemmer Road for 2014. Mr. DeBoer seconded the motion. Upon Roll call,
Ayes: DeBoer, Gaechter, Bassani Nays: None Absent: None Abstain: None

Mr. Gaechter moved to approve Renewal of Shared Service Agreement for Animal Control and Pound Services with Franklin Borough for the year 2014.
Mr. DeBoer seconded the motion. Upon Roll call,
Ayes: DeBoer, Gaechter, Bassani Nays: None Absent: None Abstain: None

Mr. Gaechter moved to approve Renewal of Shared Service Agreement for Animal Control and Pound Services with Ogdensburg Borough for the year 2014.
Mr. DeBoer seconded the motion. Upon Roll call,
Ayes: DeBoer, Gaechter, Bassani Nays: None Absent: None Abstain: None

Mr. Gaechter moved to approve Renewal of Shared Service Agreement for Animal Control and Pound Services with Hamburg Borough for the year 2014.
Mr. DeBoer seconded the motion. Upon Roll call,
Ayes: DeBoer, Gaechter, Bassani Nays: None Absent: None Abstain: None

Mr. Gaechter moved to approve Renewal of Shared Service Agreement for Animal Control and Pound Services with Andover Township for the year 2014.
Mr. DeBoer seconded the motion. Upon Roll call,
Ayes: DeBoer, Gaechter, Bassani Nays: None Absent: None Abstain: None

Mr. Gaechter moved to approve Renewal of Shared Service Agreement for Recycling Coordinator Services with Branchville Borough for the year 2014.
Mr. DeBoer seconded the motion. Upon Roll call,
Ayes: DeBoer, Gaechter, Bassani Nays: None Absent: None Abstain: None

Mr. Gaechter moved to approve the project "Lake Neepaulin Roads – Section II", as per the recommendation of Township Engineer Harold Pellow dated November 21, 2013.
Mr. DeBoer seconded the motion. Upon Roll call,
Ayes: DeBoer, Gaechter, Bassani Nays: None Absent: None Abstain: None

Mr. Gaechter moved to approve completion of the project "Wantage Township Municipal Building Parking Lot", as per the recommendation of Township Engineer Harold Pellow dated November 21, 2013. Mr. DeBoer seconded the motion. Upon Roll call,
Ayes: DeBoer, Gaechter, Bassani Nays: None Absent: None Abstain: None

Mr. Gaechter moved to approve completion of the project "Armstrong Road", as per the recommendation of Township Engineer Harold Pellow dated November 21, 2013.
Mr. DeBoer seconded the motion. Upon Roll call,
Ayes: DeBoer, Gaechter, Bassani Nays: None Absent: None Abstain: None

Mr. Gaechter moved to approve Change Order #1 to the project "Wantage Township Roof Replacement", by adding \$533.91 to the contract price for the removal and replacement of sheathing and trim, in accordance with the stipulated allowance provided in the bid specifications for this line item. Scope of said service could not be stipulated prior to commencement of the roof replacement project. Mr. DeBoer seconded the motion. Upon Roll call,
Ayes: DeBoer, Gaechter, Bassani Nays: None Absent: None Abstain: None

CONSENT AGENDA Continued

Mr. Gaechter moved to approve Person to Person Transfer of Liquor License 1924-33-001-006 from Best of Sussex County, Inc. to Akshar Liquors Wantage, LLC, trading as Airport Pub & Package, as follows:

WHEREAS, on July 30, 2013, an application was filed for a person to person transfer of Plenary Retail Consumption License #1924-33-001-006, heretofore issued to Best of Sussex County, Inc., for a liquor license in the Township Of Wantage, New Jersey; and
WHEREAS, the Alcoholic Beverage Retail Licensee Clearance Certificate allowing for the Transfer of this license was issued by the New Jersey Division of Taxation on July 5, 2013, and
WHEREAS, the criminal background check conducted by the New Jersey State Police has been concluded, and
WHEREAS, proof of publication of the said pending application for transfer has been submitted, and no objection from the public has been filed against this proposed transfer; and
WHEREAS, the submitted application form is complete in all respects, and the transfer fees have been paid; and
WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent ordinances and conditions consistent with Title 33; and
WHEREAS, the applicant has disclosed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;
NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee of the Township Of Wantage in Sussex County, New Jersey, does hereby approve, effective December 13, 2013 the transfer of the aforesaid Plenary Retail Consumption License to Akshar Liquors Wantage, LLC, trading as Airport Pub & Package, and does hereby direct the Township Administrator Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Akshar Liquors Wantage, LLC, trading as Airport Pub & Package, effective December 13, 2013."

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

Mr. Gaechter moved to approve Place to Place Transfer of Liquor License 1924-33-002-003, for Douglas J. Thomson, changing the status of the license from a Pocket (Inactive) license to an Active License being used at 447 Route 284 in Wantage, New Jersey, as follows:

WHEREAS, on October 8, 2013, an application was filed for a Place to Place transfer of Plenary Retail Consumption License #1924-33-002-003, issued to Thomson Douglas J, for an inactive license in the Township Of Wantage, New Jersey; and
WHEREAS, said application seeks approval to transfer the said license from an inactive "pocket" license to an active license being utilized at premises identified as 447 State Highway Route 284, and
WHEREAS, proof of publication of the said pending application for transfer has been submitted, and no objection from the public has been filed against this proposed transfer; and
WHEREAS, the submitted application form is complete in all respects, and the transfer fees have been paid; and
WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent ordinances and conditions consistent with Title 33;
NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee of the Township Of Wantage in Sussex County, New Jersey, does hereby approve, effective December 13, 2013, the place to place transfer of the aforesaid Plenary Retail Consumption License.

Mr. DeBoer 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 to Bassani Power Equipment LLC, Purchase Order 10948, Chain Saw supplies, in the amount of \$153.01.

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

MAYOR'S PRESENTATION

Mayor Bassani offered a Plaque of Appreciation to James Smith for his years of service to the Township of Wantage serving on the Planning Board and Land Use Board. Mayor Bassani expressed the thanks of the community for the many decades of public service provided by Mr. Smith, many of them in the capacity of Chairman of the Land Use Board. Mr. DeBoer and Mr. Gaechter also offered their expressions of thanks and appreciation. At the Mayor's invitation, fellow Land Use Board members Michael Cecchini, Joanne Kanapinski, and Ronald Slate offered their thanks and appreciation to Mr. Smith as well. Mr. Smith thanked all present for their kind words, saying it was a pleasure to serve the community.

Administrator's Report

Friends of Animal Shelter: Mr. Doherty invited Mrs. Lynn Negele to introduce the various members of the Friends of the Wantage Animal Shelter. Mrs. Negele offered introductions, and offered updates on proposed fund raising activities.

Sussex Airport: Mr. Doherty reported that Attorney Mr. Rich Valenti will come to the Wantage governing body meeting scheduled for January 30, 2014 to offer a status update report on the Airport.

Cell Tower Feasibility Study: Mr. Doherty reported that this topic is on hold pending further review by Verizon, to determine suitability of the municipal building site for service capability.

Volcanic Hill Road Acceptance Petition: The members of the governing body requested Township Engineer Harold Pellow attend the January 30 meeting to review this topic with the governing body.

Letter dated 11/27/13 from Sussex County Board of Taxation: The governing body agreed to request a meeting with the County Board of Taxation after the new year, to review the status of the Reassessment.

Request for Release of Executive Session Minutes: Mr. Doherty reported that a citizen requests the release of executive session minutes from the meeting of March 28, 2013. Since the topic of discussion at that meeting is complete and no longer needs to remain confidential, Mr. Doherty recommended the release of the minutes. The governing body agreed by consensus to release the executive session minutes as requested.

Clove Hill Manor Roads: Mr. Doherty confirmed that the Township Engineer Harold Pellow has offered a report of acceptance for the Clove Hill Manor development. In Mr. Pellow's estimation, the needs of the community are satisfied. Mr. Pellow and Mr. Doherty both recommend accepting the project as completed, which opens the way for Wantage to consider adopting a Road Acceptance Ordinance for Clove Hill Manor in January. The members of the governing body agreed with this course of action by consensus.

Replacement of Letter of Credit: Mr. Doherty reported that Wantage currently is in possession of Letters of Credit 10099 and 10118, each in the amount of \$28,750, from Sussex Bank, issued on behalf of 565 Land Development LLC. Mr. Zummo has submitted exact duplicate Letters of Credit numbers 1015 and 1016 from Highland State Bank, requesting release of the Sussex Bank Letters of Credit. The members of the governing body agreed with this course of action by consensus.

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.

Attorney Report

Mr. Garofalo requested an executive session to discuss matters under attorney client privilege regarding terms and conditions of employment involving a member of the public works department.

Committee Reports

Mayor Bassani thanked the members of the Sussex Wantage Little League for their many volunteer contributions in maintaining and improving the Ball Fields at Lott Road recreational facility this year. Specifically, Mayor Bassani thanked SWLL representative John Gramignano, Recreation Secretary Jeanne McBride, Recreation Chair Greg Williams, and Construction Official Patrick Stefanelli, who volunteered their time to provide the labor needed to place a new roof on the restroom facility at the Lott Road Fields at no cost to the taxpayers. Additionally, Mayor Bassani thanked the members of the Recreation Commission for their efforts in hosting another successful Christmas Tree Lighting Ceremony for the community this past weekend.

Mayor Bassani also reported on his attending the most recent dinner meeting of the Sussex County League of Municipalities. Mayor Bassani found the topics at this meeting – the effort to move state legislation which would provide for a more equitable cost allocation for covering the costs of tax foreclosures and tax appeals, and 2014 budget preparation discussions – to be very interesting and helpful.

OLD BUSINESS: Mayor Bassani announced the Emergency Management presentation by Joe Konopinski shall be postponed until the January 30, 2014 meeting.

NEW BUSINESS

Final Adoption of Ordinance 2013-10: Salary Amendment

Mr. DeBoer moved to adopt on final 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.” Mr. Gaechter seconded the motion. Prior to final roll call, 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 on this matter, 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

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

Mr. DeBoer moved to adopt on final reading, an Ordinance entitled “ORDINANCE APPROPRIATING THE SUM OF \$35,000 FOR THE PURCHASE OF DPW VEHICLE.” Mr. Gaechter seconded the motion. Prior to final roll call, 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 on this matter, 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

Award of Contract: Purchase of DPW Vehicle

Mr. Gaechter moved to award a contract to H&H Mack of Rockaway, NJ in the amount of \$101,680 for the Cab, and Cliffside Body Corp. of Fairview, NJ in the amount of \$76,000 for the Truck Body, representing the lowest bids received on the project entitled Purchase of DPW Dump Truck. The certification of available funds from the CFO is on file in the Clerk's office.

Mr. DeBoer seconded the motion. 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 and executive sessions for the meeting held on November 14, 2013. Mr. DeBoer seconded the motion. Upon Roll call,

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

Mrs. Ann Smulewicz, Route 23, asked if Wantage was receiving additional tax revenue from the Tennessee Gas Pipeline project; if so, how much; asked if other towns are receiving tax revenue from the Gas Pipeline Project. Mayor Bassani stated the Township would look into these questions and provide Ms. Smulewicz with a response within the next ten days.

OPEN SESSION, Continued

Mrs. Smulewicz inquired regarding the review process for bills associated with the Lake Neepaulin Dam project. Mayor Bassani offered a response, explain the role of the NJDEP, Auditors and the Township in this matter.

Mrs. Smulewicz inquired regarding the status of the issue which had been raised earlier this year regarding allegations of unauthorized use of a municipal owned lot on Lake Neepaulin's shore. Mayor Bassani offered a response, explaining that the issue has been addressed and plans are made for a sale of this lot to adjoining property owners in 2014.

Mrs. Smulewicz offered her opinion on Senate Bill S2340, which if adopted would expand ability of the court to order payment of attorney fees and costs by parties who file frivolous lawsuits.

Mr. Tom Jable, Lake Neepaulin, offered additional details regarding the issue of the Township owned lot along the shore of Lake Neepaulin referenced earlier; offered further detail on the review of bills and the NJDEP role in the Dam Project; and suggested the Township explore the possibility of participating in a Tax Reward Program in which local businesses would be able to donate a portion of sales to reduce the customer's tax payment obligation. Mayor Bassani thanked Mr. Jable and said the Township would review this.

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. DeBoer 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 a matter involving the terms and conditions of employment of a member of the Public Works Department
- Matters affecting the terms and conditions of employment of current employees of the Municipal Office Staff.

BE IT FURTHER RESOLVED, 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: Gaechter, Bassani, DeBoer Nays: None Absent: None Abstain: None

RETURN TO OPEN SESSION

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

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

Mayor Bassani declared this meeting adjourned.