

**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  
SEPTEMBER 25, 2014.**

Mayor DeBoer called the regular meeting to order, and requested the Clerk call the roll. Upon roll call, the following members of the governing body were present: Mayor Bill DeBoer, Committeeman Ron Bassani, and Committeeman Bill Gaechter. The following members were absent: None.

Mayor DeBoer 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 and certified by the Clerk."

**FLAG SALUTE**

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

**CONSENT AGENDA**

Mayor DeBoer requested that the governing body review the Consent Agenda.

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

- Construction Department Report for August 2014
- Board of Health Report for August 2014
- Registrar of Vital Statistics Report for August 2014
- Municipal Clerk Report for August 2014
- Tax Collector Report for August 2014

Seconded by Mr. Gaechter. Upon Roll Call:

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

Mr. Bassani moved to approve Payment of Bills for the Meeting of July 17, 2014, excluding Purchase Order 11696 for Bassani Power and Equipment in the amount of 99.38.

Seconded by Mr. Gaechter. Upon Roll Call:

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

Mr. Bassani moved to confirm salary for Patrick Stefanelli as Zoning Officer/Code Enforcement Officer of Wantage Township for salary of \$7,000 per year, pro-rated for 2014 as of September 1, 2014.

Seconded by Mr. Gaechter. Upon Roll Call:

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

Mr. Bassani moved to authorize Change Order #1 to the contract "Milling and Paving Various Streets" for a contract reduction in the amount of \$36,990.71, as per recommendation of Township Engineer Harold Pellow. Seconded by Mr. Gaechter. Upon Roll Call:

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

Mr. Bassani moved to authorize the refund of \$200.00 to Ron & Lisa Velella, Block 140 Lot 5.01 for completed driveway application 2013-01, as per the recommendation of the Zoning Secretary.

Seconded by Mr. Gaechter. Upon Roll Call:

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

Mr. Bassani moved to authorize the refund of \$807.50.00 to Katherine Pepe for completed Land Use application L-13-01, as per the recommendation of the Land Use Secretary.

Seconded by Mr. Gaechter. Upon Roll Call:

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

**MAYOR'S PROCLAMATION**

Mayor DeBoer offered the following Proclamation, Naming November to be National American Indian Heritage Month in Wantage Township:

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**PROCLAMATION**

**WHEREAS**, the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; and

**WHEREAS**, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today, and

**WHEREAS**, their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and

**WHEREAS**, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November as National American Indian Heritage Month; and

**WHEREAS**, in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational and historical activities have been planned;

**NOW THEREFORE**, I, William DeBoer, by virtue of the authority vested in me as Mayor of the Township of Wantage do hereby proclaim November as the National American Indian Heritage Month, in the Township of Wantage, and urge all our citizens to observe this month with appropriate programs, ceremonies and activities.

**In Witness Whereof**, I have hereunto set my hand and caused the Seal of the Township of Wantage to be affixed this 25<sup>th</sup> day of September, the year of our Lord two thousand and fourteen.

**ADMINISTRATOR'S REPORT**

Renewal of participation in North Jersey Municipal Employee Benefits Fund: Genral discussion took place on renewal of membership in the Health and Dental Insurance Program Administrators. No action was taken at this time.

Trimont Request (Tabled from August Meeting): Mr. Doherty reported that Trimont Real Estate Advisors have offered to relinquish / transfer title of property at 21 Carly Drive to Wantage Township. After due consideration, the governing body directed Mr. Doherty to decline this offer at this time as being premature, since the tax obligation has not yet gone to Tax Sale.

Multi Town Court Negotiations: Mr. Doherty reported that negotiations are ongoing at this time.

Issue Involving Encroachment on Township Property: Mr. Doherty stated the Reardons have declined the Township's proposal for resolving the encroachment issue involving a township lot bordering their property; instead they have removed their swimming pool from the Township lot, and are in the process of removing their fence from the lot.

Request For Executive Session: Mr. Doherty requested an executive session to discuss the terms and conditions of employment of employees of the Construction Department.

Suggestion for Ordinance to allow Municipal Clerk to approve Bingo and Raffle: Mr. Doherty reported that it is possible to adopt an ordinance authorizing the Clerk to handle Bingo and Raffle license issuance without having to bring it to the governing body for approval at a public meeting. Mr. Doherty explained that New Jersey regulations on gambling are so restrictive that by the time a Bingo or Raffle application gets to the governing body for approval, it is entirely an administrative function; there's no real discretion in deciding the application because any shortcoming in the application are addressed before it is cleared by the State Legalized Games of Chance Control Commission. Delegating the power to approve bingo and raffle licenses to the clerk provides greater latitude to the community's non-profit groups because they would no longer have to schedule their fundraising around "once or twice a month" meetings of the governing body, which sometimes get cancelled or rescheduled, sometimes leading to problems with the timing of their proposed fundraising events. The governing body agreed this move seemed to make sense and authorized Mr. Doherty to prepare an ordinance for consideration.

**ADMINISTRATOR'S REPORT, Continued**

284 Aggregates Hours of Operation Concerns: Mr. Doherty reported that the Land Use Board desired the governing body discuss reports from residents that the soil quarrying operation 284 Aggregates was not complying with requirements for hours of operation. Mayor DeBoer spoke of this matter with the members of the governing body and invited Mr. Jim Kozlowski to speak with the governing body on this issue. Mr. Kozlowski reported that the business operation often begins work before 7:00 a.m., and is utilizing Lower Unionville Road as an entrance/exit route from their property rather than Route 284.

The governing body requested Mr. Doherty invite the owner of 284 Aggregates to attend the next meeting of the governing body for the purpose of considering a means by which to address and alleviate the concerns of the residents and, if necessary, to consider action which would suspend the operating license of this business.

Towing Ordinance: Mr. Doherty reviewed the status of efforts by the municipal attorney to draft an ordinance for consideration of the governing body which would regulate towing operations and establish a fee schedule for charges within Wantage Township. General discussion took place on this topic, and Mr. Doherty was directed to continue researching the issue

On Line Auction of Surplus Municipal Vehicles and Equipment: Mr. Doherty reported that the Public Works Department has put together a list of municipally owned vehicles and equipment which have reached the end of their useful life and/or are no longer needed for public use. Mr. Doherty requested permission to utilize the services of USGovBid to conduct an on line auction of these surplus items to raise revenue and dispose of these items. Mr. Gaechter moved to authorize Mr. Doherty to proceed. Mr. Bassani seconded the motion. Upon Roll Call:

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

NJDOT FY2015 Grant Application: Mr. Doherty reported that Township Engineer Harold Pellow recommends the governing body make an application to the New Jersey Department of Transportation for a Grant to Improve a Section of Layton Road for Fiscal Year 2015. Mr. Bassani moved to authorize the Administrator and Engineer to proceed with this said grant application.

Mr. Gaechter seconded the motion. Upon Roll Call:

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

**ATTORNEY'S REPORT:** None

**TOWNSHIP COMMITTEE REPORTS:**

Mayor DeBoer welcomed David Seeley to this meeting of the governing body. Mayor DeBoer explained that David was present at this meeting as a part of his Boy Scout assignments involving civic participation. General discussion took place between the Mayor and David. The members of the governing body welcomed David to the meeting.

**OLD BUSINESS:**

Sussex Technical School Tuition Issue: After general review and consideration of the request from the Walkkill Valley High School Superintendent for a resolution in opposition of the tuition being charged by Sussex Technical School on sending districts, the governing body requested Mr. Doherty to provide them with a copy of the previous resolution adopted by the Wantage governing body on this issue. The matter was tabled until the next meeting.

**NEW BUSINESS:**

**Introduction of Ordinance 2014-16: Zoning Amendment**

Mr. Bassani moved to Introduce on first reading, Ordinance 2014-16, entitled "AN ORDINANCE TO AMEND CHAPTER XIII OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WANTAGE, BEING THE ZONING CHAPTER". Mr. Gaechter seconded the motion. Upon Roll Call:

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

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**Approval of Minutes**

Mr. Gaechter moved to adopt the minutes of the Regular Meeting and Executive Session of the Wantage Township governing body held on August 21, 2014. Mr. Bassani seconded the motion. Upon Roll Call: Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

**OPEN PUBLIC SESSION:**

Mayor DeBoer opened the meeting to the public at this time.

William Gettler, Gemmer Road, gave his views on the notice from the County Tax Administrator regarding an overcharge on the county portion of tax bills. Mr. Gettler expressed the belief that immediate corrective action should have been taken by the County, and offered calculations regarding what he believed to be the amount of overcharge involved. Mr. Gettler requested the governing body write a letter calling for the county to return the amount of overcharge. General discussion took place regarding Mr. Gettler's input. The governing body expressed consensus with forwarding Mr. Gettler's written position on this matter to the County Tax Administrator to ascertain if it were possible to pursue an immediate refund rather than to have the amount credited on a future tax bill.

Ann Smulewicz, Route 23, expressed annoyance and dissatisfaction with the overcharge in county taxes that took place; offered comments regarding the Lake Neepaulin decision; and expressed concern with dust conditions from the Bicsak soil mining site, as well as concern with rats, snakes and weeds growing on the Rachel Manor site bordering her property.

The members of the governing body held a brief discussion with Mrs. Smulewicz regarding her expressed concerns; Mr. Doherty suggested that Mrs. Smulewicz should contact the county health department to investigate her concerns regarding rats.

The members of the governing body requested Mr. Doherty to contact the Township Engineer and obtain a report from him regarding current status of compliance with Township ordinances and regulations by all existing soil removal operations.

Jon Morris, Armstrong Road, pointed out that Federal Mine Safety inspectors regularly inspect all mining operations in the country, and the Sussex County Soil Conservation District might also be an agency that Mrs. Smulewicz could contact regarding her concerns.

Mayor DeBoer closed the meeting to the public.

**CLOSED EXECUTIVE SESSION**

Attorney Glenn Kienz read the reasons for the public to be excluded from the Executive Session:

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:

1) Discussion of the terms and conditions of employment of employees of the Construction Department.

2) Negotiations of potential shared service ventures involving a neighboring municipality

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. Bassani moved to go into executive session. Mr. Gaechter seconded the motion. Upon roll call, Ayes: Gaechter, Bassani, DeBoer Nays: None Absent: None Abstain: None

After meeting in closed executive session, Mr. Bassani moved to return to open session.

Mr. Gaechter seconded the motion. Upon roll call,

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

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Mr. Bassani moved to authorize the Administrator to proceed with the layoff plan for an employee of the Construction Department, as discussed during closed session.

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. Bassani moved to adjourn the meeting. Mr. Gaechter seconded the motion. Upon roll call,

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

Mayor DeBoer declared this meeting adjourned.

Respectfully Submitted,

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James R. Doherty, Municipal Clerk