

**MINUTES OF THE MEETING OF THE MAYOR AND COMMITTEE OF  
THE TOWNSHIP OF WANTAGE, HELD AT THE WANTAGE TOWNSHIP  
MUNICIPAL BUILDING, 888 STATE HIGHWAY 23, WANTAGE, N.J.  
ON THE DATE OF MAY 8, 2008**

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Mayor Parker Space called the Workshop meeting of the Mayor and Committee of the Township of Wantage to order, and requested the Clerk to call the roll. Upon roll call, the following members of the governing body were present: Mayor Space, Committee members DeBoer and Nuss. The following members were absent: None. Also present: Township Attorney Michael Garofalo, Sussex Borough Mayor Chris Parrott.

Mayor Space 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."

**YOUTH IN GOVERNMENT: SUSSEX/WANTAGE SCHOOL**

Students from the Sussex Middle School conducted a meeting, acting as various members of government for Wantage Township and Sussex Borough.

All persons present participated in the Salute to the Flag.

Mayor Space, Sussex Mayor Chris Parrott, Mr. DeBoer, and Ms. Nuss offered special thanks and congratulations to the students for their participation, and to the teachers who coordinated the Youth in Government Program.

School Superintendent Edward Izbicki, Principal Joseph Mulford, Youth in Government Coordinator Ms. Eileen Potts, and Administrator Jim Doherty congratulated the students for their participation, and thanked the governing bodies and employees for making this program a success.

There being nothing further before the governing body with respect to the Youth in Government Program, Mayor Space thanked every one for participating in this program.

Mayor Space called the Regular meeting of the Mayor and Committee of the Township of Wantage to order, and requested the Clerk call the roll. Upon roll call, the following members of the governing body were present: Mayor Space, Committee members DeBoer and Nuss. The following members were absent: None. Also present: Attorney Michael Garofalo.

Mayor Space 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."

All persons present participated in the Salute to the Flag.

**2008 BUDGET AMENDMENT**

Ms. Nuss moved to adopt a Resolution to Amend the 2008 Municipal Budget of Wantage Township as approved. Mr. DeBoer seconded the motion.

Mayor Space requested Mr. Doherty to offer a brief explanation of this proposed amendment. Mr. Doherty explained that this resolution would shift the breakdown in salaries involving the interlocal construction department to reflect the In cap/Out of cap ratio according to the review offered by the New Jersey Department of Community Affairs for compliance with the Local Budget Law. The resolution does not increase or decrease the bottom line numbers of how much money is being budgeted, it merely adjusts the amount of salaries reflected within cap and outside of cap. Upon roll call,

**Ayes:** DeBoer, Nuss, Space    **Nays:** None    **Absent:** None    **Abstain:** None

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**2008 BUDGET ADOPTION**

Mr. Doherty explained that with the adoption of the resolution to amend the budget as approved, it was now appropriate for the governing body to consider a motion to adopt the 2008 Municipal Budget for Final Adoption. Mr. Doherty stated that the public hearing on the Budget was previously held on April 24, 2008.

Mr. DeBoer moved to Adopt the 2008 Municipal Budget for Wantage Township. The motion was seconded by Ms. Nuss. Upon roll call,

**Ayes:** DeBoer, Nuss, Space **Nays:** None **Absent:** None **Abstain:** None

**CONSENT AGENDA**

Mayor Space requested that the members of the governing body review the Consent Agenda.

Ms. Nuss requested that the monthly report of the Board of Health be removed, as she desired clarification on details of the report. Mr. Doherty removed this item from the consent agenda.

There being no other Committee member present wishing to comment on the proposed Consent Agenda, Mayor Space requested approval of the adjusted Consent Agenda.

Ms. Nuss moved to approve the following Correspondences, for filing:

- Copy of Letter dated April 29, 2008 from New Jersey Department of Environmental Protection Bureau of Dam Safety & Flood Control, granting an extension for the Friends of Lake Neepaulin to submit permit application for rehabilitation of Lake Neepaulin Dam to the Date of December 1, 2008.
- Letter dated May 1, 2008 from Annmarie Stephens, Girl Scout Troop 726 Leader, inviting Mayor Space to participate in the Gold Award Ceremony reception on May 16 at 7 p.m.
- Letter dated May 1, 2008 from Mindy Alvarado of North Shore Drive, expressing support for Township's efforts to work with FOLN to rehabilitate the Lake Neepaulin Dam.
- Letter dated May 1, 2008 from the North Jersey Transportation Planning Authority, identifying stakeholder meetings to be held on May 19 and 20, 2008 as part of the Northwest New Jersey Bus Study.

Mr. DeBoer seconded the motion. Upon roll call,

**Ayes:** DeBoer, Nuss, Space **Nays:** None **Absent:** None **Abstain:** None

Ms. Nuss moved to approve the following Reports, for filing:

- Construction Department Report for April 2008
- Municipal Clerk Report for April 2008
- Registrar Report for April 2008
- Tax Collector Report for April 2008

Mr. DeBoer seconded the motion. Upon roll call,

**Ayes:** DeBoer, Nuss, Space **Nays:** None **Absent:** None **Abstain:** None

Ms. Nuss moved to approve Payment of Bills for the meeting of May 8, 2008

Mr. DeBoer seconded the motion. Upon roll call,

**Ayes:** DeBoer, Nuss, Space **Nays:** None **Absent:** None **Abstain:** None

Ms. Nuss moved to approve refund of seeding and haying Bond 2007-SH-12 in the amount of \$4,320 to Sussex Bank on Block 14 Lot 15. Mr. DeBoer seconded the motion. Upon roll call,

**Ayes:** DeBoer, Nuss, Space **Nays:** None **Absent:** None **Abstain:** None

Ms. Nuss moved to approve refund of escrow fund for Application L-34-2004 to Verizon Wireless, in the amount of \$2,840.36 on Block 16 Lot 6. Mr. DeBoer seconded the motion. Upon roll call,

**Ayes:** DeBoer, Nuss, Space **Nays:** None **Absent:** None **Abstain:** None

Ms. Nuss moved to approve refund of escrow fund for Application L-1-2007 to Verizon Wireless, in the amount of \$443.37 on Block 44 Lot 13.02. Mr. DeBoer seconded the motion. Upon roll call,

**Ayes:** DeBoer, Nuss, Space **Nays:** None **Absent:** None **Abstain:** None

Ms. Nuss moved to approve refund of tax overpayment to Peter & Susan Hildebrand, in the amount of \$1,067.91 on Block 69.01 Lot 9. Mr. DeBoer seconded the motion. Upon roll call,

Ayes: DeBoer, Nuss, Space    Nays: None    Absent: None    Abstain: None

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Ms. Nuss moved to approve Contract for Curbside Collection of Bulky Waste for 2008 to Blue Diamond Disposal of Succasunna, NJ, in the amount of \$225 per ton.

Mr. DeBoer seconded the motion. Upon roll call,

**Ayes:** DeBoer, Nuss, Space **Nays:** None **Absent:** None **Abstain:** None

**ADMINISTRATOR'S REPORT**

Mayor Space requested Mr. Doherty to give the Administrator's report.

Mr. Doherty presented a letter from Township engineer Harold Pellow dated May 8, 2008, recommending that the Blair Road Section II project be accepted, provided that \$875 be retained until such time as an issue involving the sealing of a well on private property be resolved, said issue to be resolved within 45 days by the contractor.

Mr. DeBoer moved to approve the acceptance of the Blair Road – Section III Project subject to the conditions stated by the Township Engineer dated May 8, 2008. Ms. Nuss seconded the motion. Upon roll call,

**Ayes:** DeBoer, Nuss, Space **Nays:** None **Absent:** None **Abstain:** None

Mr. Doherty presented a refund resolution for consideration which was not ready in time for inclusion on the consent agenda.

Mr. DeBoer moved to approve the refund of \$20,700 to Park Finance LLC for the refund of a tax sale premium on Block 165 Lot 8.03. Ms. Nuss seconded the motion. Upon roll call,

**Ayes:** DeBoer, Nuss, Space **Nays:** None **Absent:** None **Abstain:** None

**Shared Services:** Mr. Doherty reported progress on efforts to review possible departments and services that could benefit the taxpayers through shared service arrangements.

**Gypsy Moth Concerns:** Mr. Doherty reported that numerous residents are expressing high levels of disturbance regarding gypsy moth caterpillar infestation. Agreeing to participate in the State Dept of Agriculture Spray program for next year will require commitment of at least \$100,000, probably more. Going beyond the State's level of spraying could require a commitment to budget up to \$250,000 for next year's budget, which would represent a penny increase on the local tax burden for 2009. Mr. Doherty asked the governing body to keep this issue in mind for discussion during 2009 budget planning.

**Resident Petition of Concerned Neighbors and Friends of John and Jim Myslinski:** Mr. Doherty informed the governing body that he has provided a response letter to Ms. Diane Snure, on the petition submitted. The members of the governing body expressed consensus that this response was appropriate.

**Recreation Commission vacancies:** Mr. Doherty reported that the Recreation Commission presents the name of Jennifer Nuss Cary to be appointed to the Recreation Commission.

Mayor Space named Jennifer Nuss Cary to the Recreation Commission to fill a vacant seat running through 12/31/09.

**ATTORNEY'S REPORT:** Mr. Bolcato had no new information to report at this time.

**COMMITTEE REPORTS:** None

**OLD BUSINESS**

**Consolidation Study Options**

Mayor Space invited Mayor Chris Parrott of Sussex Borough to join the Wantage Township governing body for discussion regarding this topic of discussion.

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Mr. Doherty presented a suggestion offered by Mr. Marc Pfeiffer, Deputy Director at the Division of Local Government Services, for Wantage Township and Sussex Borough to embrace a blended approach to the statutory provisions of consolidation studies found in New Jersey Statutes Title 40 and Title 40A. Mr. Doherty explained that the intent would be to take advantage of the best elements of both the Municipal Consolidation Act and the Local Option Municipal Consolidation Act.

After due consideration, the Wantage Township governing body as well as Sussex Mayor Parrott expressed the belief that this suggestion merits further consideration, but wished to have a clear analysis presented regarding the implications and proposed course of action involved.

Mr. Doherty stated he would work with Mr. Pfeiffer to prepare such a presentation for the consideration of the governing bodies.

**Selection of Consolidation Study Commission Members**

Mr. Doherty suggested that once the deadline has passed, an invitation would be extended to all persons who submitted resumes and letters of interest to serve on the Consolidation Study Commission for Wantage Township, to attend the June 12 Work session of the Mayor and Committee of the Township of Wantage at 7:00 p.m. This would give the governing body an opportunity to meet the applicants prior to making a decision regarding the selection of the five study commission members. The members of the governing body expressed consensus with this suggestion.

**NEW BUSINESS**

**Final Adoption of Ordinance 2008-03: Salary**

Mr. DeBoer moved to adopt on Final reading Ordinance 2008-03, "ORDINANCE FIXING THE SALARIES OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF WANTAGE, COUNTY OF SUSSEX AND STATE OF NEW JERSEY, FOR THE YEAR 2008". The motion was seconded by Ms. Nuss. Prior to final roll call, Mayor Space opened the meeting to the public for any questions or comments about this proposed Ordinance. There being no one present wishing to ask any questions at this time, Mayor Space closed the meeting to the public and requested a roll call vote on the motion. Upon roll call, **Ayes:** DeBoer, Nuss, Space **Nays:** None **Absent:** None **Abstain:** None

**Introduction of Ordinance 2008-06: Bond Ordinance (Road Improvements)**

Ms. Nuss moved to introduce on first reading, Ordinance 2008-06, entitled "BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF WANTAGE, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$650,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$617,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF" with a Final Hearing date set for May 29, 2008. Mr. DeBoer seconded the motion. Upon roll call, **Ayes:** DeBoer, Nuss, Space **Nays:** None **Absent:** None **Abstain:** None

**Resolution to Amend 2008 Capital Budget**

Mr. DeBoer moved to adopt a Resolution amending the 2008 Capital Improvement Budget of Wantage Township, to reflect the capital improvements identified in Ordinance 2008-06. Ms. Nuss seconded the motion. Upon roll call, **Ayes:** DeBoer, Nuss, Space **Nays:** None **Absent:** None **Abstain:** None

**Approval of Minutes**

The members of the governing body expressed consensus to hold consideration for approval of the minutes of the Regular and Executive session meeting minutes of the Wantage governing body held on April 24, 2008, until the next regular meeting.

**OPEN PUBLIC SESSION**

Mayor Space opened the meeting to the public for any questions or comments.

Mr. Bill Gettler, Gemmer Road, offered an update report on the status of possible closure of State Parks by the New Jersey State Government.

Mr. Gettler offered comments and observations to express concerns he holds about the manner in which the Mayor and Committee of the Township of Wantage are pursuing the process of a Consolidation Study Commission. Mr. Gettler offered various interpretations and statements regarding the details of New Jersey statutes dealing with Consolidation.

Mr. Doherty stated that Mr. Gettler's comments misrepresent and misstate the details of statutes so very extensively, that there would be nothing gained by engaging in a rebuttal of the positions he has offered. Mr. Doherty suggested that the governing body simply thank Mr. Gettler for his input, while acknowledging the Township's disagreement with the views expressed.

No further discussion took place on this topic.

Mr. Craig Coykendall, Ann Marie Lane, inquired regarding details of qualifications for consideration of applicants to the Consolidation Study Commission, and inquired if his political affiliation as a Democrat would prevent him from being given consideration.

Mr. DeBoer responded, assuring Mr. Coykendall that if he submits a resume, it would be given the same due consideration as any and all other resumes submitted.

Mr. Bob Heiden, Old Clove Road, expressed concern regarding a recent dog bite incident that occurred at the Wantage Dog Park, and inquired regarding liability exposure for the Township.

Mr. Doherty stated that liability exposure is inherent in public places such as parks, and are covered by the insurance carriers of the Township. The township has posted the Dog Park as a "Use At Own Risk" facility, and has posted specific written rules to be followed. Mr. Doherty stated that the failure of individuals to follow those rules led to the dog bite incident. Mr. Doherty stated his belief that the liability exposure has been limited to the greatest extent possible, given the circumstances. Mr. Bolcato offered input regarding the Tort Claims Act, which offers immunity to municipalities under certain situations.

Mr. Heiden asked if anything further could be done to minimize liability exposure in the future. Mr. Bolcato stated that this could be addressed by the Insurance Carrier representatives.

Mr. Heiden asked if the Township plans on finishing the repaving of Old Clove Road where it meets with Libertyville Road.

Mayor Space asked Mr. Doherty to review the Road Improvement Plan of the Township.

Mr. Douglas Ricker, Beemer Road, expressed views regarding the possibility of having a town center designation at the CJS site on Lower Unionville Road, stating his belief that such a designation would be wrong. Mr. Ricker also expressed support for the continued utilization of wood burning stoves within the Township.

Elizabeth Shevlin, Pine Ridge Road, expressed concern with the prevalence of bears in the neighborhood. Ms. shevlin expressed concern with neighbors who improperly secure lids of garbage cans, which leads to bears raiding the garbage.

Mr. Doherty stated that if there are instances of neighbors who are, in effect, feeding bears through improper placement of garbage can lids, this can be reported to the County Health Department for investigation and handling.

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Mayor Space requested that Mr. Doherty place a notice on the Township website, reminding the public that it is illegal to feed bears, and necessary to bear-proof garbage can lids.

There being no other persons interested in addressing the governing body, Mayor Space closed the meeting to the public and the governing body returned to the regular order of business.

There being no other items for consideration at this time, Mr. DeBoer moved to adjourn the meeting. Mrs. Nuss seconded the motion. Upon roll call,

**Ayes:** DeBoer, Nuss, Space **Nays:** None **Absent:** None **Abstain:** None

Mayor Space declared this meeting to be adjourned.

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James R. Doherty, Administrator/Clerk