

**MINUTES OF THE REGULAR 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 OCTOBER 29, 2009**

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Mayor Parker Space called the regular 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 member was absent: None  
Also present Township 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."

**CONSENT AGENDA**

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

**RESOLUTIONS**

Mrs. Nuss made a motion to authorize the correction of property assessment for Block 17 Lot 4.04, and Lot 4.05 to properly reflect farmland assessment on said property lots in the year 2009. Mr. DeBoer seconded the motion. Upon roll call,

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

Mrs. Nuss made a motion to authorize the correction of property assessment for Block 123 Lot 5.05, Lot 5.06, and Lot 5.07 to properly reflect farmland assessment on said property lots in the year 2009. Mr. DeBoer seconded the motion. Upon roll call,

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

Mrs. Nuss made a motion to authorize the refund of a tax overpayment of \$53.26 to Robert McEwan, associated with block 15 Lot 10. Mr. DeBoer seconded the motion. Upon roll call,

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

Mrs. Nuss made a motion to authorize the refund of a tax overpayment of \$2,483.87 to Gregg & Marney Ostroski, associated with block 17 Lot 4.04.

Mr. DeBoer seconded the motion. Upon roll call,

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

Mrs. Nuss made a motion to authorize the refund of a tax overpayment of \$2,479.08 to Linda & Eric Space, associated with block 17 Lot 4.05.

Mr. DeBoer seconded the motion. Upon roll call,

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

Mrs. Nuss made a motion to authorize the refund of a tax overpayment of \$2,857.64 to William & Laura Hemmer, associated with block 21 Lot 34.06. Mr. DeBoer seconded the motion.

Upon roll call,

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

Mrs. Nuss made a motion to authorize refund of a tax overpayment of \$581.25 to Kevin & Kelly Gottheiner, associated with block 26 Lot 9. Mr. DeBoer seconded the motion. Upon roll call,

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

Mrs. Nuss made a motion to authorize the refund of a tax overpayment of \$1,968.57 to Herbert & Helen Sanford associated with block 132.01. Mr. DeBoer seconded the motion. Upon roll call,

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

**RESOLUTIONS**

Mrs. Nuss made a motion to authorize the refund of tax overpayments as listed below:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
96	8	David & Dawn Mangone	\$ 74.24
103	20	Joan McMillan	542.45
133	5	Thomas Rostkowski	907.80
140	31.01	Ryan Lopez	659.46

Mr. DeBoer seconded the motion. Upon roll call,

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

Mrs. Nuss made a motion to authorize cancellation of various tax overpayments from the years 2000 – 2007, totaling \$26,234.65. 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 present the Administrator’s report.

**Grant Application 2010 Municipal Alliance Fund:** Mr. Doherty advised the Committee that the County of Sussex will be applying for a 2010 grant from the Governor’s Council of Alcoholism and Drug Abuse which requires the approval of the Mayor to include any award in the 2010 budget.

Mrs. Nuss made a motion to authorize the Mayor to submit an application for the Sussex County Municipal Alliance Grant for calendar year 2010. Mr. DeBoer seconded the motion. Upon roll call,

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

**Plan amendment to the Wantage Township Wastewater Management Plan:** Mr. Doherty reported that the County is seeking Wantage Township endorse an amendment to the Wantage Township Wastewater Management Plan to include Block 11 Lot 5 on Route 23.

Mr. DeBoer made a motion to endorse a plan amendment to the Wantage Township Wastewater Management Plan and Sussex County Water Quality Management plan to permit the discharge for the proposed wastewater treatment facility and to provide for “on-site groundwater discharge” area designation for Block 11, Lot 5. Mrs. Nuss seconded the motion. Upon roll call, **Ayes:** DeBoer, Nuss, Space **Nays:** None **Absent:** None **Abstain:** None

**Application for Use of Township Property:** Mr. Doherty reported that FOLN seeks permission to place a “Thermometer” shaped sign on front lawn of municipal building property to track level of funds donated to fix Lake Neepaulin Dam. Mr. Doherty recommended denying this request, as the current policy of the Township is to allow no private signs on the Township property. The Committee agreed by consensus to deny this request.

**Drainage Concern:** Mr. Doherty offered DPW Supervisors input regarding draining at 59 Crigger Road. Mr. Wagner feels cleaning the drain area now and extending the drain area in 2010 will provide considerable relief to the resident’s concerns.

**Collector Vehicles/Army Vehicles:** Mr. Doherty asked the Committee to see letter written from residents at 23 Southfield Drive, seeking “grandfathering”. Mr. Garofalo will look into this request and respond at the next meeting.

**Request of HPRHS:** Mr. Doherty advised that High Point High School Business Administrator seeks an opportunity to meet with Mayor and Committee of the Township of Wantage to offer courtesy review of proposed Facilities Renovation Project, with proposed referendum on January 26, 2010. Mr. Doherty will invite HPRHS to the December 10<sup>th</sup> meeting.

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**ADMINISTRATOR'S REPORT, continued**

**Citizen Leadership Form:** Mr. Doherty reported that a recent statute signed into law requires all municipalities to adopt a standard form to be utilized by individuals interested in volunteering to serve on a municipal commission or board. Mr. Doherty presented a proposed form for approval. The Committee agreed by consensus to approve use of this form.

**ATTORNEY'S REPORT**

Mr. Garofalo had nothing new to report.

**COMMITTEE REPORTS**

Mrs. Nuss voiced her concern that the second newsletter of the Consolidation Commission was one sided and felt Mr. Jacob's comments should have been included in fairness to all Wantage Township residents. Mrs. Nuss expressed a desire to post a rebuttal statement from Mr. Jacobs on the Wantage Township website, and send the rebuttal as an e-mail message to the public. Ms. Nuss stated the first Consolidation Commission Newsletter included the minority report; the meeting held on Oct 19th at High Point Regional included the minority report; but the second Consolidation Commission Newsletter, did not. Mr. DeBoer voiced concern that the second Consolidation Study Commission newsletter attempted to sway voters for consolidation and Mr. Jacob's minority opinion should have been included so the public could make an informed decision. Mayor Space stated his belief that the Consolidation Commission did the job they were appointed to do, and that getting involved now would appear that the Wantage Township governing body is against them or their opinion.

Mr. Doherty asked the members of the governing body to consider the question of whether or not taking action as suggested by Mrs. Nuss may be construed as interfering with the actions of an autonomous public board, in effect sending a message that the Wantage Township governing body thinks the Study Commission did the job wrong, so the governing body will now do it for them.

General discussion and consideration of the suggestion by Mrs. Nuss took place at this time. Mrs. Nuss asked permission to hear from Mr. Jacobs at this time. Mayor Space agreed to give the floor to Mr. Jacobs.

Mr. Jacobs stated that he was not aware that all his statements would be excluded from the second Study Commission newsletter, and objected to the second newsletter based on his feeling that it implies he is in agreement with the statements made, when in fact he is not.

Mr. Garofalo confirmed that the Commission is an autonomous board; indicated that the governing body has a right to decide what is posted on the Township website; but recommended against any pro-active decision to distribute a rebuttal statement by sending an e-mail message. Further, Mr. Garofalo counseled the governing body to consider Mr. Jacobs' input as coming from an individual member of the community voicing his opinion, not as a commission member. Mr. Garofalo stated that the Wantage-Sussex Consolidation Study is breaking new ground in many ways here in the State of New Jersey, so it is difficult to know whether or not the actions being considered this evening would be considered appropriate or not under the consolidation statutes; it all would depend on the interpretation, so he does not know whether or not he would be able to defend the action, if challenged.

A brief review took place of the written Rebuttal Comments of Mr. Jacobs with reference to the Consolidation Study Newsletter #2.

Mrs. Nuss made a motion to post Mr. Jacobs' REBUTTAL COMMENTS ON CONSOLIDATION STUDY NEWSLETTER #2 on the Wantage Township Website.

Mr. DeBoer seconded the motion. Upon roll call,

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

**OLD BUSINESS - None**

**NEW BUSINESS**

**Adoption of Ordinance 2009-20: Municipal Consent for SECTV Franchise.**

Mrs. Nuss made a motion to adopt on final reading an ordinance entitled "AN ORDINANCE GRANTING MUNICIPAL CONSENT TO THE ISSUANCE OF A FRANCHISE TO SERVICE ELECTRIC CABLE T.V. OF NEW JERSEY, INC., TO CONSTRUCT, OWN, OPERATE, EXTEND AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE TOWNSHIP OF WANTAGE, COUNTY OF SUSSEX, SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF SAID MUNICIPAL CONSENT AND PROVIDING FOR THE REGULATION AND USE OF SAID SYSTEM". Prior to final roll call, Mayor Space opened the meeting to the public. As there was no one who wished to comment on this ordinance, Mayor Space closed the meeting to the public. Mr. DeBoer seconded the motion. Upon roll call,

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

**Approval of Minutes**

Mr. DeBoer made motion to approve the Regular and Executive Session minutes of the meeting of the Mayor and Committee of the Township of Wantage held on October 15, 2009.

Mrs. Nuss seconded the motion. Upon roll call,

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

**OPEN PUBLIC SESSION**

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

Bill Gettler, Gemmer Road, offered comments regarding recent letters to the editor of the New Jersey Herald on the topic of consolidation, and a report previously issued by the Wantage Taxpayer's Association which he had provided to the Consolidation Study Commission. Mr. Gettler expressed his belief that the calculations and figures he is presenting with respect to the fiscal impact of consolidation are correct.

Joy Steinbacher, Lake Neepaulin, asked if Mr. Jacobs had an opportunity to review Commission Newsletter #2 before it was printed and if the Commission will have an opportunity to review Mr. Jacob's comments before they are posted.

Mr. Garofalo stated that the governing body is not in a position to respond to those questions.

Art Jacobs stated that he has never swayed from his original opinion in his minority report and thanked Tom Hoffman for printing the fact that all Ethics Violation charges against him have been dismissed.

Kathy Gorman asked that individuals on the Township E-mail Alert list be notified of the posting of Mr. Jacobs' rebuttal.

Anne Smulewicz, Route 23, expressed disappointment in Consolidation Commission Newsletter #2 and stated the only other New Jersey municipal consolidation resulted in no savings.

Maggie Kolicko requested authorization to submit a grant to the Sussex County Arts and Heritage Council for the Woodbourne Veteran's Memorial project fund.

Bill Gettler advised that he believes a former neighbor of his is attempting to violate a farmland preservation deed restriction in order to sell his home. Mr. Gettler provided copies of a letter to the NJDEP and to the governing body in opposition for the public record, signed by several property owners on Gemmer Road and Mount Salem Road.

As there was no one else from the public who wished to address the Committee, Mayor Space closed the meeting to the public.

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Mrs. Nuss made motion to utilize the emergency e-mail chain to notify residents that Mr. Jacob's comments have been posted to the website. Mr. DeBoer seconded the motion. Upon roll call, **Ayes:** DeBoer, Nuss, **Nays:** Space **Absent:** None **Abstain:** None

Mrs. Nuss made motion to endorse Maggie Kolicko to apply for a grant from the Sussex County Arts and Heritage Council for the Veteran's Memorial fund for calendar year 2010.

Mr. DeBoer seconded the motion. Upon roll call,

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

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