

**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 NOVEMBER 12, 2009**

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.

REPORTS

Mrs. Nuss made a motion to approve the following reports for filing.

- Tax Collector Report for October 2009
- Municipal Clerk Report for October 2009
- Registrar's Report for October 2009
- Board of Health Report for October 2009
- Construction Department Report for October 2009

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 approve Payment of Bills for the meeting of November 12, 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 \$14,100.00 to Lien Times, LLC, for a tax sale premium associated with block 117 Lot 8.07.

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 \$437.00 to George Dabis, for completed land use application L-07-23, associated with block 149 Lot 20.10.

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 \$1,200.00 to Cornelius & Mary Manzo, for a tax overpayment associated with block 147 Lot 6.05.

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 \$2,041.44 to David Gherlone for a tax overpayment associated with block 133 Lot 14.03.

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 \$250.00 to Michael & Christine Botzenmayer for a tax overpayment associated with block 59 Lot 1.

Mr. DeBoer seconded the motion. Upon roll call,

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

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RESOLUTIONS

Mrs. Nuss made a motion to authorize the refund of \$1,353.64 to Stella Salazar for a tax overpayment associated with block 21 Lot 28. 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 \$1,067.48 to William & Mary Kellenberger for a tax overpayment associated with block 74 Lot 30.

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 \$1,381.23 to Christopher & Corrie Guddemi for a tax overpayment associated with block 139 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 \$2,444.11 to Peter & Elizabeth Vreeland for a tax overpayment associated with block 21 Lot 13.03 & Q0163. 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 DPW Employee Rick Fairweather to receive 23 additional sick days in accordance with the provisions of the employment contract between the Township of Wantage and the Department of Public Works.

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 renewal of the Shared Services Agreement between Wantage Township and Sussex Borough for Municipal Water and Sewer Services.

Mr. DeBoer seconded the motion. Upon roll call,

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

OLD BUSINESS

Sussex Airport Feasibility Study

Ron Price from QED; the Citizen Advisory Committee; Bart Ritorto and Greg McDonough of the New Jersey Division of Aeronautics; and Tom Felix and Lori of the Federal Aviation Association were present to summarize the findings and recommendations of the Sussex Airport Feasibility Study.

Mr. Price recommended that Wantage Township pursue the purchase the Sussex Airport and contract out the daily management. Greg Williams of the Citizen Advisory Committee recommended that legislative restrictions do not warrant Wantage Township going any further. Mr. DeBoer asked if the rental income from the airport could be used to reduce the tax burden of all Wantage Township residents. Mr. Felix explained that all profits must be retained for improvements to the airport. Mrs. Nuss stated that she does not want any of the expense borne by the taxpayers. Mr. Price explained that most grants require municipal matching funds which would become part of Wantage Township general taxation.

Mayor Space opened the meeting to the public for their comments and questions. Stanley Adamczyk, Warren Wisse and William Gettler spoke against Wantage Township purchasing the Sussex Airport. As there was no one else from the public who wished to comment, Mayor Space closed the meeting to the public.

The Mayor and Committee thanked all present for their efforts, but decided that in these tough economic times adding to the tax burden was not possible.

Mr. DeBoer made a motion to terminate the airport feasibility study. Mrs. Nuss 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.

Right to Farm Ordinance: Mr. Doherty reported that he has forwarded the proposed amendment of the Right To Farm Ordinance to the attention of the Land Use Board for their input.

DPW Union Election: Mr. Doherty reported that the Township has received notification from the Public Employment Relations Commission that the new union representing the Public Works Department is United Public Service Employees Union, replacing the former IUPCPE Local 911 (pending if any objections are filed in the next 6 days by the old union). The new union also represents the Office Staff employees under a separate bargaining unit.

Bicsak Soil Removal License: Mr. Doherty reported that Township Engineer Harold Pellow offered a report on punch list items that need to be addressed by Bicsak Brothers in order to obtain a soil removal license for their site.

Mr. DeBoer made a motion to authorize the Soil Removal License effective November 15, 2009 for a one year period, subject to compliance with the items listed in Harold Pellow's letter dated 11/12/09. Mrs. Nuss seconded the motion. Upon roll call,

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

Paving of Route 628: Mr. Doherty informed the governing body that the rough surfaces of Route 628 will be paved this year.

Family Leave Act Authorization: Mr. Doherty reported that Rosanne Werner has filed the paperwork to begin taking leave from work in order to care for a member of her family who needs attention due to illness. Ms. Werner will be taking off Mondays and Tuesdays for the remainder of calendar year 2009.

Mr. DeBoer made a motion to authorize intermittent family leave for Rosanne Werner.

Mrs. Nuss seconded the motion. Upon roll call,

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

Proposed Group Home on Cemetery Road: Mr. Doherty reported that SEED Corp. is pursuing another Group Home in Wantage Township, a 4-bedroom single family home at 96 Cemetery Road. Based on discussions with CFO Michelle La Starza and Planner David Troast, the Township is in a position to offer \$100,000 to SEED for this project. Taking this action is compliant with the Township's proposed Fair Share Plan and Spending Plan with COAH. The Governing Body will review at the December 10, 2009 meeting.

Decision Regarding Layoff Notifications for 2010: Mr. Doherty reported that based on Civil Service regulations, if it is the intent of the governing body to implement layoffs of employee(s) by January of 2010, a notice must be distributed this month. Mr. Garofalo concurred with Mr. Doherty that if the governing body plans to use a layoff as a financial budgeting tool, notices must be sent. Sending of notices does not necessitate layoffs if deemed unnecessary.

Mrs. Nuss made a motion to send layoff notices to all employees. Mr. DeBoer seconded the motion. Upon roll call,

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

ATTORNEY'S REPORT

Mayor Space requested Mr. Garofalo present the Attorney's Report.

Mr. Garofalo offered his interpretation of Recreational Vehicle Ordinance Amendment, specifically as it related to a recent request from a resident advising that they felt they were exempt from this ordinance as they have owned army vehicles prior to implementation. Mr. Garofalo explained that this is not a true zoning ordinance but relates to aesthetics and applies to every citizen.

COMMITTEE REPORTS

Mr. DeBoer congratulated William Gaechter on his recent appointment as Wantage Township Committeeman effective January 1, 2010.

NEW BUSINESS

Adoption of Ordinance 2009-21: Amending Developer Fee Ordinance.

Mrs. Nuss made a motion to adopt on final reading an ordinance entitled "AN ORDINANCE AMENDING ORDINANCE 2008-18, ENTITLED "AN ORDINANCE CREATING DEVELOPMENT FEES IN THE TOWNSHIP OF WANTAGE, COUNTY OF SUSSEX, STATE OF NEW JERSEY". Prior to final roll call, Mayor Space opened the meeting to the public for any comments or concerns regarding this ordinance. As there was no one who wished to comment, 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

Presentation of Information: Sussex Water Utility Wantage Township resident William Gettler presented information with respect to the Sussex Water Utility. Mr. Gettler feels that the utility does not have the ability to service developments planned for Wantage Township. Mayor Space thanked Mr. Gettler for his presentation. Mr. DeBoer assured Mr. Gettler that the Land Use Board would need verification of the capacity of the utility before any development would be completed.

Approval of Minutes

Mrs. Nuss made motion to approve the Regular minutes of the meeting of the Mayor and Committee of the Township of Wantage held on October 29, 2009.

Mr. DeBoer 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.

A resident asked how age restricted developments can be converted into regular housing. Mr. Garofalo explained that regulations have been modified due to the downturn in the economy to lessen the financial burden on developers and financial institutions funding these projects.

Karen Merritt, Alpine Road, asked if the group homes were deed restricted for COAH usage. Ms. Merritt was informed that there is a restriction requirement built into the agreement.

Mr. Adamczyk spoke against group homes in Wantage Township.

Mr. Gettler asked for an update on his request that the employment of Jim Doherty, Ed Vander Berg, Kevin Kervatt, Mike Garofalo and Laddey Clark and Ryan be terminated.

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

As there was no further business to discuss, Mrs. Nuss moved to adjourn the meeting. Mr. DeBoer seconded the motion. Upon roll call,

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

Mayor Space declared this meeting to be adjourned.

James R. Doherty, Administrator/Clerk