

**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 FEBRUARY 11, 2010**

Mayor Clara Nuss 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 Nuss, Committee members DeBoer and Gaechter. The following member was absent: None
Also present Township Attorney, Michael Garofalo

Mayor Nuss 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 Nuss 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 Nuss requested approval of the Consent Agenda.

REPORTS (Approval For Filing the Following):

Mr. DeBoer made a motion to approve the following for filing:

- Clerks Report for the Month of January 2010
- Construction Department Report for the Month of January 2010
- Board of Health Report for the Month of January 2010
- Registrar's Report for the Month of January 2010
- Tax Collector's Report for the Month of January 2010

Mr. Gaechter seconded the motion. Upon roll call,

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

RESOLUTIONS

Mr. DeBoer made a motion to approve Payment of Bills for the meeting of February 11, 2010.

Mr. Gaechter seconded the motion. Upon roll call,

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

Mr. DeBoer made a motion to authorize the Administrator and CFO to sign the Agreement with the Sussex County Arts & Heritage Council for accepting an award of \$1,400 to support the Wantage Township Veterans Memorial Project at Woodbourne Park, on behalf of the Wantage Township Board of Recreation Commissioners.

Mr. Gaechter seconded the motion. Upon roll call,

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

Mr. DeBoer made a motion to authorize 2010 Pound License for the Wantage Township Dog Pound. Mr. Gaechter seconded the motion. Upon roll call,

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

Mr. DeBoer made a motion to approve Resolution in Support of the Read Across America Program. Mr. Gaechter seconded the motion. Upon roll call,

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

Mr. DeBoer made a motion to authorize Boy Scout Troop 84 to conduct their annual Car Wash Fundraising Event at Wantage Township Municipal Garage facilities on June 5, 2010, subject to acceptable water use regulations of the Sussex Borough water utility at that time (i.e., provided that drought conditions do not exist). Mr. Gaechter seconded the motion. Upon roll call,

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

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RESOLUTIONS

Mr. DeBoer made a motion to authorize the Mayor and Clerk to sign Shared Services Agreement with Borough of Franklin for utilization of the Wantage Township Vehicle Wash System, at a cost of \$20 per vehicle. Mr. Gaechter seconded the motion. Upon roll call,

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

Mr. DeBoer made a motion to authorize the Mayor and Clerk to sign Shared Services Agreement with Borough of Hamburg for utilization of the Wantage Township Vehicle Wash System, at a cost of \$20 per vehicle. Mr. Gaechter seconded the motion. Upon roll call,

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

Mr. DeBoer made a motion to authorize the Mayor and Clerk to sign Shared Services Agreement with Borough of Branchville for utilization of the Wantage Township Vehicle Wash System, at a cost of \$20 per vehicle. Mr. Gaechter seconded the motion.

Upon roll call,

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

Mr. DeBoer made a motion to approve 2010 Soil Removal Certification Renewal for Shotco, Inc., for Block 44 Lot 25.01. Mr. Gaechter seconded the motion. Upon roll call,

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

Mr. DeBoer made a motion to approve 2010 Soil Removal Certification Renewal for Foothill Acres Farm, for Block 2 Lot 18.01. Mr. Gaechter seconded the motion. Upon roll call,

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

Mr. DeBoer made a motion to authorize participation in the 2010 PARIS Grant Electronic Document Management System Implementation Project to be sponsored by the County of Sussex. Mr. Gaechter seconded the motion. Upon roll call,

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

Mr. DeBoer made a motion to authorize refund of tax overpayment to Adam Hubbard in the amount of \$616.57, regarding Block 169 Lot 4 Q088.

Mr. Gaechter seconded the motion. Upon roll call,

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

Mr. DeBoer made a motion to authorize refund of tax overpayment to Adam Hubbard in the amount of \$833.08, regarding Block 169 Lot 5.06 Q088.

Mr. Gaechter seconded the motion. Upon roll call,

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

ADMINISTRATOR'S REPORT

Mayor Nuss requested Mr. Doherty present the Administrator's report.

Negotiations: Mr. Doherty requested an executive session to discuss the status of negotiations with Sussex Borough for various shared service ventures.

Personnel: Mr. Doherty requested an executive session to discuss actions being considered by the governing body which may affect the terms and conditions of employment for various employees of Wantage Township. In accordance with the requirements of law, said employees shall be invited to be present for these discussions.

Information Update - Health Benefit Costs: Mr. Doherty, in follow up to an inquiry made at the February 5 budget work session, advised that the Township's Risk Management Advisor for Health and Dental benefits, Mr. Frank Covelli, shall attend the February 25 meeting of the governing body to address questions regarding existing premium costs for prescription coverage.

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Information Update - Budget Status: Mr. Doherty advised that pending further developments at the State level, the 2010 Budget Calendar for Wantage Township be as follows: Introduce Budget on March 25; hold public hearing and final adoption on April 29.

Information Update – Soil Removal renewals: Mr. Doherty reported that 565 Land Development and Bicsak have both made contact with his office to request renewal of their soil removal licenses for 2010. Township Engineer Harold Pellow has conducted on site inspections, and advises to take no action at this time, as he will need to prepare a report for both applicants to bring the sites into compliance with the requirements of Wantage Township ordinances governing soil removal.

ATTORNEY’S REPORT

Mayor Nuss requested Mr. Garofalo present the Attorney’s report. Mr. Garofalo informed the Committee the Governor has suspended all COAH action for 90 days and which is likely to prompt developers to ask for refunds. Mr. Garofalo advised not to give anything back until the Governor’s task force concludes their study. Mr. Doherty advised that COAH did approve Wantage Township’s spending plan and the Township will be releasing the funds for the two SEED group homes based upon that approved plan.

COMMITTEE REPORTS - None

OLD BUSINESS

Consideration of Ordinance: Outdoor Furnace Regulations: General discussion took place regarding the recommendation of the Land Use Board to introduce/adopt an ordinance that would create local regulation on the use of outdoor furnaces and boilers. Mr. Doherty advised the Committee not take action as there are presently no requests from the general public to address this issue. Mr. DeBoer stated that the land Use Board believes the use of these furnaces is annoying to neighbors, especially in the summer months when used to heat water. Mr. Gaechter agreed that this ordinance should be introduced. Ed Vander Berg says the ordinance is based upon limiting size to specific areas so he can enforce zoning ordinances.

Mr. DeBoer made a motion to introduce this ordinance. Mr. Gaechter seconded. Mr. Doherty stated that he cannot advertise the ordinance as is, since there are numerous blank lines requiring fill-in information. Mr. DeBoer rescinded his motion and Mr. Gaechter rescinded his second and asked that the ordinance be returned to the Land Use Board for completion.

Consideration of Amendment to Dog Park Regulations: General discussion took place regarding a potential amendment to the Dog Park Regulations. Mr. Garofalo stated that he had no problem with the proposed wording.

Mr. Stu Baker stated that the dog park has had remarkably few “biting” incidents and hopes to continue a good record by the adoption of this amendment. Mr. Baker says that the Recreation Commission took his input and Animal Control Officer John Abate’s input into consideration, and recommends that this amendment be approved.

Mr. Gaechter made a motion to amend the dog park regulations to read “As of February, 2010, The Wantage Dog Park will adopt a zero tolerance policy whereby any dog known to inflict a bite that draws blood on any other dog or person will be placed on probation. A second incident will result in the dog being permanently banned.”

Mr. DeBoer seconded the motion. Upon roll call,

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

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NEW BUSINESS

Final Adoption of Ordinance 2010-01: 3-Way Stop Intersection

Mr. DeBoer made a motion to adopt on final reading, Ordinance 2010-01 entitled "AN ORDINANCE ESTABLISHING A THREE-WAY STOP INTERSECTION AT CRIGGER AND NEILSON ROADS WITHIN THE TOWNSHIP". Mr. Gaechter seconded the motion.

Mayor Nuss opened the meeting to the public for any questions or comments regarding this ordinance. As there was no one from the public who wished to comment, Mayor Nuss closed the meeting to the public. Upon roll call,

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

Final Adoption of Ordinance 2010-02: Soil Removal Bond Amendment

Mr. Gaechter made a motion to adopt on final reading, Ordinance 2010-02 entitled "AN ORDINANCE TO AMEND CHAPTER XXIII SOIL REMOVAL". Mr. DeBoer seconded the motion. Mayor Nuss opened the meeting to the public for any questions or comments regarding this ordinance. As there was no one from the public who wished to comment, Mayor Nuss closed the meeting to the public. Upon roll call,

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

Approval of Minutes

Mr. DeBoer made motion to approve the regular and executive session minutes of the meetings of the Wantage governing body held on January 28, 2010. Mr. Gaechter seconded the motion. Upon roll call,

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

OPEN PUBLIC SESSION

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

John Abate reported that Wantage Township currently provides animal control to nine municipalities with four certified animal control officers, one currently on disability. Mr. Abate feels that any reduction in staff would adversely affect the ability to continue these services and would not be in the best interest of the Township.

Bill Gettler, Gemmer Road, advised the Committee that residents cannot stand any more tax increases.

Doug Ricker, 91 Beemer Road, stated that he had dinner with Governor and feels that state aid will be declining and the only way to reduce costs is to decrease the health benefit coverage costs to municipalities, schools and state government.

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

Mr. DeBoer made a motion to enter into 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 matter: "negotiations and personnel matters involving the Public Works Department and the Construction Department". 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. Gaechter seconded the motion. Upon roll call,

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

After meeting in closed executive session, the members of the governing body returned to open session and continued with the regular order of business.

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Mr. DeBoer made motion authorizing Mr. Doherty to advertise a bid proposal for park maintenance. Mayor Nuss seconded the motion. Upon roll call,

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

Mr. Gaechter made motion to authorize Mr. Doherty to offer Sussex Borough a contract for Interlocal Construction Services at a fee of \$90,000 for the year 2010. Mr. DeBoer seconded the motion. Upon roll call,

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

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

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

Mayor Nuss declared this meeting to be adjourned.

James R. Doherty, Administrator/Clerk