

**MINUTES OF THE SPECIAL 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 JULY 29, 2010**

Mayor Clara Nuss called the regular meeting of the Mayor and Committee of the Township of Wantage to order at 7:00 p.m., 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

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."

Mayor Nuss lead the assembly in the Salute to the Flag.

OPEN SPACE APPLICATION

Administrator Jim Doherty stated "The Green Acres Program assists counties and municipalities in the acquisition of open space for recreation and conservation purposes and the development of outdoor recreation facilities. Program funding comes from the Garden State Preservation Trust, supplemented by varying awards from federal programs such as the Land and Water Conservation Fund. To reward and encourage local governments with progressive open space policies, Green Acres established the Planning Incentive Grant category, which provides matching grants to qualifying local governments for the acquisition of land for conservation and recreation purposes. To qualify for this funding, local government must have a Green Acres-approved Open Space and Recreation Plan (OSRP), and either an open space tax or an alternate funding source that is stable, equivalent to an annual tax levy, and approved by Green Acres. Planning incentive applicants are eligible for 50 percent matching grant funding. The application deadline for this funding round is July 30, 2010. Projects in each round compete against each other, and successful applications are approved by the Garden State Preservation Trust. Approvals will be made from the funds approved by voters in the 2009 Open Space Referendum, as well as from project cancellations and withdrawals. This will be a limited funding round and competition will be intense".

Mr. Doherty stated that the purpose of this public hearing tonight is to obtain public input regarding a proposed Green Acres Local Assistance Program Application, for consideration of a Planning Incentive grant in the amount of \$100,000, representing a 50% reimbursement of the amount of contribution to be made by Wantage Township toward the open space preservation of Block 156 Lot 21.01 Q-Farm within the Township of Wantage.

At this time, Mayor Nuss opened the meeting to the public for any questions or comments regarding this proposed grant application.

Mr. William Gettler, Gemmer Road, indicated his opinion that the Wantage Township Open Space ordinance and referendum question are not consistent, and that the Open Space tax money should be returned to the taxpayers.

There being no one else present wishing to address the governing body on this matter, Mayor Nuss closed the meeting to the public and the governing body returned to the order of business.

Mr. Doherty informed the governing body that there is no conflict or inconsistency involving the Wantage Township Open Space Ordinance versus the Referendum question which authorized same.

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Mr. DeBoer moved to adopt the resolution entitled “**STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES ENABLING RESOLUTION**”, as follows:

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Wantage desires to further the public interest by obtaining funding in the amount of \$100,000 from the State to fund the acquisition of Block 156 Lot 21.01-QFarm on Libertyville Road, identified as the “Plagar Site Acquisition” at a cost of \$200,000;

NOW, THEREFORE, the Mayor and Committee of the Township of Wantage resolves that James R. Doherty or the successor to the office of Administrator Clerk is hereby authorized to:

- (a) Make application for such a grant,
- (b) Provide additional application information and furnish such documents as may be required, and
- (c) Act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT RESOLVED BY THE Mayor and Committee of the Township of Wantage:

1. That the Mayor of the Township of Wantage is hereby authorized to execute an agreement and any amendment thereto with the State known as Plagar Site Acquisition;
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$100,000
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

The motion was seconded by Mr. Gaechter. Upon roll call,

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

EXECUTIVE SESSION: Construction Department Staffing

Mr. DeBoer moved to enter into closed executive session to discuss matters of pending litigation, as per the following resolution:

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: “matters affecting the terms and conditions of employment of existing municipal employees of 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.

The motion was seconded by Mr. Gaechter. Upon roll call,

Ayes: DeBoer, Nuss, Gaechter **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.

Mr. DeBoer moved to take the following action with respect to the Staffing Pattern of the Wantage Township Construction Department, effective September 1, 2010 or as soon thereafter as permissible within the parameters of Civil Service regulations:

| | | | |
|----------------------------------|--------------------|----------------------------|----|
| Assistant Construction Official | Patrick Stefanelli | via promotion | 4 |
| Building Subcode official | Patrick Stefanelli | already in position | 24 |
| Plumbing Inspector | Patrick Stefanelli | covered by promotion above | 4 |
| Fire Subcode Inspector | Patrick Stefanelli | covered by promotion above | 4 |
| Fire Inspector (Fire Prevention) | Patrick Stefanelli | via appointment | 4 |

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|---------------------------------|----------------|--|----|
| Building Inspector | Kevin Kervatt | via appointment | 8 |
| Fire Subcode Official | Kevin Kervatt | via appointment | 4 |
| Housing Inspector | Kevin Kervatt | already in position | 8 |
| Zoning Officer | Kevin Kervatt | already in position; needs to be validated with civil service promotion from Assistant Zoning Officer to Zoning Officer | 8 |
| Code Enforcement Official | Kevin Kervatt | already in position; needs to be validated with civil service appointment, or alternately take position that Code enforcement Official is included in "other related duties" of the Housing Inspector position | 4 |
| Fire Official (Fire Prevention) | Kevin Kervatt | via promotion | 8 |
| Plumbing Subcode official | New Hire | via appointment | 8 |
| Electrical Subcode Official | Bob Schultz | already in position | 8 |
| Technical Assistant | Rosanne Werner | already in position | 40 |
| Clerk Typist | Kim Moore | already in position | 40 |

The motion was seconded by Mr. Gaechter. Upon roll call,

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

OPEN PUBLIC SESSION

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

William Gettler, Gemmer Road, asked the governing body questions regarding the disposition of a construction permit involving property owned by Edward Vander Berg and the State of New Jersey's involvement in that matter.

Mr. Doherty reminded the governing body that the purpose of this special meeting was advertised to hold the Green Acres open space public hearing, and to discuss the future staffing of the construction department. Mr. Doherty advised the governing body to not respond to matters outside those parameters at this meeting.

Discussion took place among Mr. Gettler, Mr. DeBoer, Mayor Nuss and Mr. Doherty regarding Mr. Gettler's subject matter and its applicability as it relates to the advertised purpose of the meeting.

Mr. Gettler then read from a letter addressed to the members of the Mayor and Committee of the Township of Wantage, calling for the termination of employment for Administrator Doherty and Township Attorney Michael Garofalo.

Mr. DeBoer and Mayor Nuss explained to Mr. Gettler that he was presenting sentiments which had already been previously presented numerous times, and there was no need for the governing body to listen to it once again. Mr. DeBoer invited Mr. Gettler to submit his written letter to the Township Committee.

Mr. Gettler did so.

There being no one else present wishing to address the governing body, Mayor Nuss closed the meeting to the public and the governing body returned to the regular order of business.

As there was no further business to discuss, Mr. DeBoer moved to adjourn the meeting.

Mr. Gaechter 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