

**MINUTES FOR THE REGULAR MEETING OF THE MAYOR AND COMMITTEE OF
THE TOWNSHIP OF WANTAGE, HELD AT THE WANTAGE TOWNSHIP MUNICIPAL
BUILDING, 888 STATE HIGHWAY ROUTE 23, WANTAGE, N.J.,
ON FEBRUARY 10, 2011**

Mayor DeBoer called the meeting to order, and requested the Clerk to call the roll. Upon roll call, the following members of the governing body were present: Mayor DeBoer, Committeeman Bassani, and Township Attorney Michael Garofalo.

Mayor DeBoer 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."

FLAG SALUTE

Mayor DeBoer invited all persons present to participate in the Pledge of Allegiance to the United States Flag.

CONSENT AGENDA

Mayor DeBoer 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 DeBoer requested approval of the Consent Agenda.

Mr. Bassani moved to approve the following reports for filing:

- Construction Department Report for January 2011
- Board of Health Report for January 2011
- Clerk's Report for January 2011
- Tax Collector Report for January 2011
- Registrar Report for January 2011

Mr. Gaechter seconded the motion. Upon roll call,

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

Mr. Bassani moved to approve Payment of Bills for the meeting of February 10, 2011

Mr. Gaechter seconded the motion. Upon roll call,

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

Mr. Bassani moved to approve Budget Appropriation Reserve Transfer in the amount of \$1,050 from the 2010 budget reserves, from Buildings and Grounds line item to Roads OE and Propane OE line items, as follows:

WHEREAS, various bills for the prior year budget have been presented for payment and such bills were not received by December 31st, and

WHEREAS, N.J.S.A 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available until lapsed at the close of the succeeding year to meet specific claims, commitment or contracts incurred during the preceding fiscal year, and allows transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year,

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Wantage that the following transfers be made in the amounts so noted:

<u>Amount</u>	<u>Transfer From:</u>	<u>Amount</u>	<u>Transfer To:</u>
1,050.00	Building and Grounds 01-201-26-310-020	725.00	Roads OE 01-201-26-290-020
		325.00	Propane OE 01-201-31-446-020
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1,050.00		1,050.00	

Mr. Gaechter seconded the motion. Upon roll call,

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

Mr. Bassani moved to approve refunds, as follow:

- \$359.75 to John F. DeKorte, LC-10-1, Block 12.01 Lots 2.05 and 2.06, Land Use Escrow
- \$2,400.00 to Clove Hill Manor, E-04-02, Snow Plowing Escrow
- \$105.27 to Lou Dobbs, E-03-02, Performance Bond Release

Mr. Gaechter seconded the motion. Upon roll call,

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

CONSENT AGENDA, Continued

Mr. Bassani moved to approve refunds, as follow:

\$1,657.30 to Lisa Conklin, Block 159, Lot 2.03, Tax Overpayment

\$ 509.00 to Jose Cabera, Block 21, Lot 34.24, State Tax Appeal

Mr. Gaechter seconded the motion. Upon roll call,

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

Mr. Bassani moved to approve endorsing the action taken by Administrator to commence cross training of Land Use Secretary position with clerical duties of Clerk Typist in the Construction, Zoning, Fire Prevention and Code enforcement offices.

Mr. Gaechter seconded the motion. Upon roll call,

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

MAYOR'S PROCLAMATION:

Mayor DeBoer offered the following proclamation, congratulating Brendan Flynn upon achieving the Rank of Eagle Scout:

WHEREAS, Brendan Flynn has achieved the rank of Eagle Scout, which represents an accomplishment of high regard within the Wantage Community, and

WHEREAS, as a member of Boy Scout Troop 97, Brendan has held numerous Leadership positions, and

WHEREAS, Brendan has distinguished himself during his Boy Scout career through on-going service to his community, and

WHEREAS, such a fine record of accomplishment is worthy of praise and recognition,

NOW, THEREFORE, I, William DeBoer, Mayor of the Township of Wantage, hereby offer my congratulations to Brendan Flynn for achieving the rank of Eagle Scout, and

BE IT FURTHER PROCLAIMED that the entire Wantage Community is hereby encouraged to join in the recognition of this fine accomplishment.

Administrator's Report

Solar Panel Option for Municipal Buildings

Mr. Doherty reported that Sussex Wantage School Administration is investigating the feasibility of a Power Purchase Agreement Request For Proposals. This project would solicit Investors who would install solar panels on the roofs of buildings as a means by which to generate electric power from solar energy. The investors would then sell back the electricity being generated to the School at a discounted rate, creating a cost savings for the school. It is possible for Wantage Township to enter into a shared service agreement with the School system, to include the municipal building, DPW storage buildings, animal control building, and perhaps the First Aid Squad building, in this RFP. It is possible to bundle in a provision for repair of the municipal building roof as a part of this RFP. Representations indicate a 15 year contract with no capital outlay or cost for the municipality, generating energy savings for the municipal electric bill. Mr. Doherty recommended sending a formal letter to Sussex Wantage Schools, informing of the Township's interest in investigating the feasibility of a shared service arrangement for their RFP, and inviting the proposed Consultant firm to a Wantage Township meeting to offer a presentation on details, so the governing body can ask questions and give due consideration to this option. The members of the governing body expressed consensus in favor of this recommendation.

Request for Consideration of an Ordinance Change: Dog Barking

Mr. Doherty reported that a resident wishes for the governing body to shorten the length of time for "continuous dog barking" to be considered an ordinance violation from a half hour to fifteen minutes, and to shorten the length of time within which another dog barking incident will trigger municipal action from a 6 month time frame to a 3 month time frame. After general consideration of this request, the members of the governing body expressed consensus to retain the existing ordinance as it is enacted, while reserving the right to revisit the suggestion in the future if there is an indication that such changes would be desired by more than just one citizen.

ADMINISTRATOR REPORT, Continued

Census Results

Mr. Doherty reported that preliminary input from the US Census Bureau reports that the new population figure for Wantage Township shall be 11,358, a 9% population increase over 10 years from the 2000 figure of 10,387.

Meeting Schedule in April

Mr. Doherty reported that Mayor DeBoer had expressed a scheduling conflict with the meeting scheduled for April 14, 2011. After general review and consideration, the governing body agreed by consensus to reschedule the meeting previously planned for April 14, 2011 to be held instead on April 7, 2011.

Open Space Committee Recommendation

Mr. Doherty reported that the Open Space Advisory Committee reviewed the merits of applications from various property owners interested in pursuing open space preservation with the Township. The members identify the following three property sites as the applications which score the highest on the criteria for consideration:

- a. Wyngaard property. This site is about 70 acres which abuts High Point High School, and is part of a "Blueway" area of interest (because of its proximity to the Papakating Creek) on the official Township Open Space Map
- b. Palumbo-Lane properties, between Route 23 and Unionville Road. Palumbo: 34 Dewitt Road / Block 138 Lot 15 44 Acres (Contiguous to Lane property and near other farmland preserved land) Lane: Unionville Road / Block 138 Lot 4.01 (Has a farmland preservation application and has talked with Donna Traylor, this is a large, developable parcel, contiguous to farmland preserved land across Unionville Road).
- c. Keyes property: Keyes: Route 284 Block 1.02 / Lot 14, 44 Acres

Mr. Doherty reported that the OSAC members request authorization to reach out to these three property owners to ascertain if they have undertaken a recent appraisal, and if not, would they be willing to have one done and presented to OSAC for further consideration.

The members of the governing body expressed consensus in favor of the OSAC recommendation.

Eagle Scout Ceremony

Mr. Doherty inquired which member of the governing body would be available to attend an Eagle Scout Ceremony scheduled for April 16 to honor Brendan Flynn. Mayor DeBoer and Mr. Gaechter indicated they were unavailable for that date. Mr. Bassani stated he would review his schedule and determine if he could attend.

County DARE Request for Clothing Collection Bin

General review was given to a request from the Sussex County DARE program for placement of a Used Clothing Collection Bin at the Wantage Township municipal building, as a fund raising project for DARE. The members of the governing body expressed consensus in favor of approving this request on a trial basis, subject to on-going demonstration that the area can be maintained free from accumulation of debris and/or unsightliness.

Donating Energy Efficiency Grant Eligibility

Mr. Doherty reported that it is possible for the governing body to donate \$50,000 grant eligibility in Phase II of the Energy Efficiency and Conservation Block Grant (EECBG) program being administered through the New Jersey Board of Public Utilities. Mr. Doherty outlined options for consideration, explaining that while the Township could identify a project and make an application, the needs identified in the Municipal Building Energy Efficiency Audit have fairly much been met at this point, and it is possible that the above-stated grant funds could do more good for the community if utilized in one of the school's projects of need, if the governing body were inclined to consider such an action. After review, the members of the governing body requested Mr. Doherty reach out to the administration of the Sussex-Wantage School system and the High Point Regional High School System, and request they identify how the grant funds would be utilized if Wantage Township chose to donate these grant eligibility funds to their school.

ADMINISTRATOR REPORT, Continued

Interest in Sewer Service Area Inclusion

Mr. Doherty reported that the owners of Mainland Sussex (Wantage Plaza) have expressed interest regarding steps to be taken to have them included in the Wantage Township Wastewater Management Plan for future sewer service area. Mr. Doherty suggested that he invite the Township Engineer Harold Pellow to attend an upcoming meeting of the governing body, to review and discuss this topic, and invite Mr. Mainardi and other Route 23 property owners, as well as the Plan Endorsement Citizens Review Committee and Land Use Chairman Jim Smith, to be present for the discussion. The members of the governing body expressed consensus in favor of this recommendation.

Attorney's Report

Mr. Garofalo reported on two bills pending in the New Jersey State Legislature, which would have sweeping impacts on the Open Public Meetings Act and the current requirements for publishing public notices in a newspaper, if adopted. General review and consideration of these bills took place at this time. Mr. Garofalo said these bills warranted the attention of the governing body if, in the future, these bills progressed for consideration of adoption by the state legislature.

Township Committee Member Reports

Mayor DeBoer offered a proposed resolution for the consideration of the governing body, opposing a proposed bill in the NJ State Legislature which, if adopted, would have sweeping impact and negative consequences for volunteer First Aid Squads in the State of New Jersey.

Mr. Gaechter moved to adopt the following RESOLUTION OF THE TOWNSHIP OF WANTAGE, COUNTY OF SUSSEX OPPOSING ASSEMBLY BILL A-2095 AND SENATE BILL S-818 WHICH REVISE REQUIREMENTS FOR MEDICAL SERVICE DELIVERY

WHEREAS, Assembly Bill A-2095 and Senate Bill S-818 are currently undergoing an examination by both State legislative bodies; and

WHEREAS, the intent of A-2095 and S-818 is to regulate the emergency medical services system, referred to as inefficient and lacking in accountability by the sponsors of this legislation; and

WHEREAS, upon reading the proposed sweeping reform measures, It is apparent that these bills, while seemingly beneficial, set forth a number of requirements that will have a deleterious impact on New Jersey Municipalities and volunteer rescue squads; and

WHEREAS, set forth below are issues raised in the bill:

1. Qualification and training levels that will discourage and/or overly burden volunteer rescue squad members, reducing volunteer participation in rescue squads;
2. Creation of a new Office of Emergency Services in the Department of Health with all costs associated in appointing and maintaining a new bureaucracy;
3. The requirement that two (2) emergency medical technicians ride in every ambulance at all times, again burdening volunteer rescue squads leading to their demise;
4. Creation of a new State Fund and directing the assessment and collection of fees (taxes) in support of same;
5. Establishment of the titles of State Medical Director for Emergency Medical Services and three regional medical directors who will undoubtedly require appropriate staff to support said titles; and
6. By default, municipalities in the absence of viable volunteer rescue squads shall remain responsible for providing Basic Life Support services through the hiring of personnel or by contracting with a service provider (area hospital) to provide ambulance support; and

WHEREAS, the unspoken consequence of said legislation will be the end of volunteer rescue squads across New Jersey; and

WHEREAS, State government, as a result of this legislation, will expand its bureaucracy at a time when the citizens wish to see State government reduced; and

WHEREAS, the cost to provide Basic Life Support Services will increase dramatically as a result of the loss of volunteers and volunteer rescue squads.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee in the Township of Wantage in the County of Sussex and State of New Jersey as follows:

1. The Township of Wantage stands firmly opposed to this legislation as the requirements therein will dramatically increase the cost of emergency medical services to our citizens in the form of taxes, fees, and service charges; and
2. The Township of Wantage calls upon its legislative delegation to vote against this legislation and, in the event that same is adopted, Governor Christie is respectfully requested to veto the legislation; and

BE IT FURTHER RESOLVED, that copies of this resolution shall be sent to Governor Chris Christie, Senator Stephen Oroho, Assemblyman Gary Chiusano, Assemblywoman Alison McHose, all Sussex County Municipalities, and the New Jersey State League of Municipalities.

Mr. Bassani seconded the motion. Upon roll call,

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

Township Committee Member Reports, Continued

Mr. Bassani spoke with regard to the Sussex Technical School Tuition Fee issue. After discussion, it was agreed to request that the Administration of High Point Regional High School offer a status update on this issue when they make their budget presentation to the governing body on March 31.

OLD BUSINESS:

Risk Management Consultants

The governing body held discussion and gave consideration of options for the appointment to the position of Risk Management Consultant for calendar year 2011. After consideration, Mr. Gaechter moved to appoint Scott Readlinger of Hale Insurance as the Risk Management Consultant to the Statewide Insurance Fund, and Frank Covelli of PIA as the Risk Management Consultant for the North Jersey Municipal employee Benefits Fund for the year 2011. Mr. Bassani seconded the motion. Upon roll call,

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

NEW BUSINESS:

Final Adoption of Ordinance 2011-02: 3-Town Court System

Mr. Bassani moved to adopt on final reading, Ordinance 2011-02 entitled "AN ORDINANCE TO REPEAL ORDINANCE 2008-07 OF THE TOWNSHIP OF WANTAGE, ABOLISHING THE MUNICIPAL COURT FOR THE TOWNSHIP OF WANTAGE AND THE BOROUGH OF SUSSEX, AND ESTABLISHING A MUNICIPAL COURT FOR THE TOWNSHIP OF WANTAGE, THE BOROUGH OF SUSSEX, AND THE TOWNSHIP OF STILLWATER". Mr. Bassani seconded the motion.

Prior to final roll call vote, Mayor DeBoer opened the meeting to the public for any questions or comments with respect to this proposed ordinance. There being no one present wishing to address the governing body on this matter, Mayor DeBoer closed the meeting to the public and requested a roll all vote. Upon roll call,

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

Final Adoption of Ordinance 2011-03: Rescinding Bond Ordinance (Open Space Bond)

Mr. Bassani moved to adopt on final reading, Ordinance 2011-02 entitled "AN ORDINANCE RESCINDING ORDINANCE 2008-04". Mr. Bassani seconded the motion.

Prior to final roll call vote, Mayor DeBoer opened the meeting to the public for any questions or comments with respect to this proposed ordinance. There being no one present wishing to address the governing body on this matter, Mayor DeBoer closed the meeting to the public and requested a roll all vote. Upon roll call,

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

Approval of Minutes

Mr. Bassani moved to approve the minutes of the meeting of the Wantage governing body held on January 27, 2011 and the Budget meeting of February 3, 2011.

Mr. Gaechter seconded the motion. Upon roll call,

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

OPEN PUBLIC SESSION

Mayor DeBoer opened the meeting to the public at this time, for any questions or comments involving the good and welfare of the community.

Karen Merritt, Alpine Road, offered observations regarding roof-mounted versus ground-mounted solar panel options, and brought up insurance impact considerations to be reviewed when giving consideration to solar panel technology options. Ms. Merritt also requested the Township consider taking action to remove the ice which has accumulated on the roof edges of the municipal building, and recommended the Township purchase new chairs for the meeting room dais.

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OPEN PUBLIC SESSION, continued

Nancy Vander berg inquired regarding the use of a sign on property along Route 565 which is being used to express opinions and statements considered offensive to some members of the community, and wondered what recourse existed.

Mr. Garofalo explained that this situation falls under First Amendment protections rights, and as such, there is no action to be taken by the Township. However, if a private citizen or citizens wished to pursue a private civil matter, that recourse is available for consideration.

William Gettler, Gemmer Road, offered a follow up report regarding the issue of the Sussex Technical School tuition fee matter, offered the opinion that he believes the figures being presented by the Sussex Technical School are inaccurate, offered data on school costs, proposed that the governing body reduce the Reserve For Uncollected Taxes as a means by which to reduce the local tax impact; expressed a desire to see no local tax increase this year, and expressed unhappiness with the Township's position on the Property Maintenance Code.

General discussion took place among Mr. Gettler, Mr. Garofalo and Mayor DeBoer regarding Mr. Gettler's opinions and position on the Property Maintenance Code.

There being no one else present wishing to address the governing body at this time, Mayor DeBoer closed the meeting to the public.

ADJOURNMENT

There being no further items for the attention of the governing body, Mr. Gaechter moved to adjourn the meeting. Mr. Bassani seconded the motion. Upon Roll call,

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

Mayor DeBoer declared this meeting adjourned.

James R. Doherty, Administrator Clerk