

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 AUGUST 15, 2013

Mayor Ronald Bassani 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 Ronald Bassani, Committeeman William Gaechter, and Committeeman William DeBoer. The following members were absent: None

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

CONSENT AGENDA

Mayor Bassani requested that the governing body Review the Consent Agenda.

Mr. DeBoer moved to approve the following Reports for Filing:

Registrar Report for July 2013

Construction Report for July 2013

Tax Collector Report for July 2013

Board of Health Report for July 2013

Municipal Clerk Report for July 2013

Chief Finance Officer Corrective Plan for 2012 Audit Report

Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to approve Raffle Application RA13-14 to the woman's club of Sussex, to hold an On Premise 50/50 Raffle on November 13, 2013 at High Point High School.

Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to authorize Change Order #1 to the project entitled Milling and Paving Holland Road, Section II, reflecting a reduction of \$4,717.84 in the contract price, for field adjustments of hot mix asphalt amount required to perform the project.

Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to approve Sale of Surplus Vehicle and Equipment via On Line Auction totaling \$8,110 for sale of 2002 Ford F450 Truck and \$41 for sale of Grease Gun.

Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to approve Renewal of Liquor License 1924-33-004-004, to CT productions LLC (formerly d/b/a Glenbrook Inn), and Liquor License 1924-33-003-007 to Areteo LLC (formerly Tara Inn). Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to Request approval from the Director of the Division of Local Government Services to create a Dedicated Trust By Rider, being a bank account to be used for acceptance of donations to be received for the Expansion of the Wantage Dog Pound.

Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to award a contract to Tilcon NY in the amount of \$322,733.89 and Denville Line Painting in the amount of \$4,978.40 for Improvements to Armstrong Road, under the Morris County Cooperative Pricing Council Contract. Certification of Availability of Funds is on file in the Clerk's office. Mr. Gaechter seconded the motion. Upon Roll call,

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

PAGE 2 OF THE MINUTES OF AUGUST 15, 2013

Mr. DeBoer moved to authorize adjustment to the Employee Handbook and Personnel Policies of Wantage Township, amending Article IV, Section IV-1 to read "Paychecks are delivered to the work location or direct deposited by the next Friday for the then completed pay period" (changing from current wording which says "on the second Friday").

Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to authorize reimbursement of funds for tax overpayments and lien redemptions, as follows:

\$ 2,296.41 to Ronald Liss, Block 2 Lot 22.01 for tax overpayment

\$ 220.57 to Patten Corp., Block 143 Lot 10.06 for tax overpayment

\$ 463.09 to Patten Corp., Block 143 Lot 10.05 for tax overpayment

\$ 672.66 to George Maragliano, Block 16 Lot 5 for tax overpayment

\$ 1,093.62 to Co Gam Industries, Block 15.01 Lot 1 for tax overpayment

\$13,876.45 to US Bank, Block 36 Lot 7.06 for redemption of tax cert. 12-16

Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to authorize reimbursement of funds for a completed land use application, in the amount of \$589.76 to William Cloke, Block 117 Lot 32.01, for land use application L-06-02

Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to authorize reimbursement of funds for bulk waste removal items not collected, in the amount of \$17.25 to Joann Demaria, 6 Hickory Road.

Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to approve payment of Bills for August 15, 2013, excluding Purchase Order 10622 and 10651. Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. Gaechter moved to approve payment of Purchase Order 10622 to Bassani Power Equipment in the amount of \$209.42, and Purchase Order 10651 to Bassani Power Equipment in the amount of \$22.95. Mr. DeBoer seconded the motion. Upon Roll call,

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

Executive Session

Mr. Gaechter moved to enter into closed executive session, 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(s):

1. Pending or anticipated litigation which the public body is, or may become a party, specifically: Motion filed for payment of legal bills by Attorney Leurs.
2. Matters falling within the attorney-client privilege: Township response options to Frivolous OPRA Requests

BE IT FURTHER RESOLVED, 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. DeBoer seconded the motion. Upon Roll call,

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

After meeting in closed executive session, Mr. Gaechter moved to return to open session and continue with the regular order of business. Mr. DeBoer seconded the motion. Upon Roll call,

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

Administrator's Report

Mr. Doherty offered clarification for the matters discussed in closed session, stating that the party discussed in closed executive session regarding excessive and frivolous OPRA requests was Thomas Caggiano. The members of the governing body confirmed by consensus for Mr. Garofalo to proceed with legal action to secure an injunction against Mr. Caggiano, to prevent him from filing OPRA requests with Wantage Township. Mr. Doherty stated the other item discussed in executive session involved a motion filed by attorney Leurs for payment of legal bills related to OPRA cases that were recently adjudicated, necessitating discussion under attorney client privilege regarding the Township's position on this motion.

Easement Agreement for Natural Gas Line from Clove Hill Manor to Municipal complex

Mr. Doherty stated confidence was high that Clove Hill Manor would be signing the easement agreement for a natural gas line extension onto Town Hall property in the near future.

Mr. DeBoer moved to approve a contract with Willco Air Conditioning to remove existing oil burners from the Wantage municipal building and replace with natural gas burners and appurtenances, and to switch over the system in the First Aid Squad Building and the DPW Garage from Propane to Natural Gas, for a contract price of \$72,500 for the municipal building, \$475 for the DPW Garage, and \$1,600 for the First Aid Squad building, said approval being subject to completion of the natural gas line extension. Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. DeBoer asked if there were any estimates on the cost savings that this project would provide. Mr. Doherty suggested that historical input from others indicates the savings could be as much as 40% a year. Mr. DeBoer pointed out that this project would pay for itself in very short time. Mr. DeBoer also expressed the thanks of the First Aid Squad.

Town Hall Parking Lot

Mr. Doherty reported that CFO Michelle La Starza requests the governing body hold off from making any decision regarding repaving parking lot until finalized bills come in on the various road improvement projects being undertaken this year.

Clove Hill Manor Hydrants

Mr. Doherty reported that this issue has been resolved. He offered thanks to Fire Chief Jon Morris for helping to coordinate a resolution to the issue.

284 Aggregates Soil Removal License

Mr. Doherty reported that as of 7/24/13, all requirements for release of a 2013 Soil Removal License for 284 Aggregates were fulfilled. Shortly thereafter, a question arose with respect to the surety on file for this operation, which is in the form of a cash bond. The issue is whether that money belongs to Mr. O'Krepky on behalf of 284 Aggregates, or to Van Decker Brothers, the prior licensee.

Mr. Gaechter moved to authorize release of 2013 Soil Removal License for 284 Aggregates subject to and upon resolution of the surety issue to the satisfaction of the Township Attorney. Mr. DeBoer seconded the motion. Upon Roll call,

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

Request for Permission to have Skydiver land on Wantage Day

Mr. Doherty reported that Wantage Recreation wishes to have a representative of Sussex Skydive parachute-land on a field at Woodbourne Park on Wantage Day, carrying an American Flag, as part of the ceremonies taking place. They require a letter from the Township acknowledging permission to do so. The members of the governing body expressed consensus for Mr. Doherty to write this letter, subject to verification and submission of insurance.

Administrator's Report, Continued

Renaming portion of Turner Road

Mr. Doherty reported that, given the pending vacation of a portion of Turner Road, the Township will need to re-name a section of Road intersecting with Rose Morrow Road. After general discussion, the members of the governing body requested Mr. Doherty to prepare recommendations for consideration in this regard.

Status of Draft Ordinance for Regulating Mobile Vendors (Peddlers)

At request of the governing body, this matter was tabled for future consideration.

Request for "Bear Crossing" Signs

Mr. Doherty reported that a resident on Sherman Ridge Road requested consideration for placing a "Bear Crossing" sign. Mr. Doherty informed that there is currently no policy or prior practice for such to take place. The governing body expressed consensus for maintaining the current policy.

Taxes due for Lot purchased at Public Auction: Request for reduction

Mr. Doherty reported that Block 12.03 Lot 6 was purchased at Private Sale by Timothy Loughery in January. Mr. Doherty recommended adjustment to the tax bill for 3rd and 4th quarter of tax year 2013, citing extenuating circumstances involving the timing of the sale and status of the property lot as a parcel received through in rem foreclosure. Mr. Doherty stated that the Lougherys are being asked to pay for greater tax liability than other citizens who purchased a township owned lot because of an unavoidable loophole created by the tax statutes of NJ.

Mr. Gaechter moved to authorize a reduction for 3rd and 4th quarter of tax year 2013 on Block 12.03 Lot 6, to be \$100 per quarter (a reduction from existing bottom line \$1,430.93 for the two quarters). Mr. DeBoer seconded the motion. Upon Roll call,

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

Suggestion for Locating Cell Tower at Town Hall

Mr. Doherty reviewed a suggestion received for exploring whether or not the municipal building property lot would be a viable location for a "wireless facility." The lease agreement would involve mounting 12 antennas (approximately 60" Height X 6" Width X 3" Depth) on a 175-foot antenna structure and would require approximately 450 square feet (30' X 15') to place the associated telephone equipment required to operate the site. The antenna structure would be constructed to accommodate up to four (4) other similar installations for future wireless co-location tenants and the Township's emergency service communications antennas, if the Township has a need to share the structure. Mr. Garofalo stated that the procedure was allowable but the height of the proposed tower struck him as being much greater than other towers he has reviewed in comparable situations. After general review and consideration, the governing body agreed to have the Mayor and Administrator review this option further with the company who contacted the Township, as a matter of due diligence for a potential revenue source.

Government Energy Aggregation Program Offer

Mr. Doherty reported that Concord Energy Services offers to explore the possibility of creating a residential enhancement as a savings opportunity for electric rates. The program will allow local governments to create large buying groups of residential and non-residential electric accounts in order to seek bids for energy rates that are below the current default rates established. Wantage currently participates in this program for municipal building electric accounts. Mr. Doherty reported that, if the township proceeds and this is created in Wantage for the private sector, each resident who does not want to participate would need to pro-actively choose to "opt out" or they will automatically be signed up; conversely, a business would need to pro-actively "opt in" if they wished to belong to the program. And, this would apply to JCP&L customers, but not to SREC customers. After due review and consideration, the governing body agreed to have the Mayor and Administrator review this option further with the company, as a matter of due diligence for a potential savings opportunity for Wantage citizens and businesses.

Attorney's Report None

Township Committee Member Reports

Mr. DeBoer moved to adopt the following resolution:
 Be It Resolved, the following Policy Be Adopted:

WANTAGE TOWNSHIP POLICY: LOSAP CREDIT FOR MILITARY SERVICE

If a volunteer member of the Wantage First Aid Squad or Wantage Fire Department (hereafter "volunteer") earns sufficient credit to receive a LOSAP contribution in the prior calendar year, and
 If that individual serves in active duty as a member of the United States military in the current calendar year, and
 If that said military service interferes with the volunteer's ability to once again qualify for LOSAP contribution by the end of the current calendar year,
 Then the said volunteer shall be awarded sufficient LOSAP credit points to once again qualify for a LOSAP contribution in the current calendar year.
 Eligibility for "military service" LOSAP credit shall be determined by an individual named by the Line Officers of the Fire Department or the First Aid Squad (hereafter "Review Agent"), as the case may be.
 If, in the opinion of the Review Agent, based on the details of the situation, the extent of military service was of such a short duration that it did not prevent the volunteer from achieving the necessary points for LOSAP, then the Review Agent shall declare the volunteer ineligible for LOSAP contribution for the current year.
 If said Review Agent determines the volunteer is not eligible for LOSAP credit, the volunteer will have a right to appeal the determination of the Review Agent to the Line Officers of the department.
 If the volunteer disagrees with the decision of the Line Officers, the volunteer may make an appeal to the Wantage Township governing body, whose decision shall be final.

Mr. Gaechter seconded the motion. Upon Roll call,
Ayes: Gaechter, DeBoer, Bassani **Nays:** None **Absent:** None **Abstain:** None

Mr. Gaechter moved to adopt the following Resolution:
 WHEREAS, the Township of Wantage conducted a private sale of surplus municipal property pursuant to N.J.S.A. 40A:12-13 et seq., and
 WHEREAS, at the said sale, the following bids were received by the deadline date of August 12, 2013:

Block	Lot	Name Of Bidder	Amount Bid
15.10	15	Miller	\$ 300.00
15.10	17	White	\$ 250.00
18	39	Tarrats	\$ 350.00
74	4	Special	\$ 276.00
148	1.02	Doychak	\$ 1,011.00
148	1.02	Fabiano	\$ 630.00
155	3.06	Mirro	\$ 1,000.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Wantage, that the governing body does hereby accept the bids shown below, and authorizes the municipal attorney to proceed with the necessary actions to secure the sale of the said property lots.

Block	Lot	Name Of Bidder	Amount Bid
15.10	15	Miller	\$ 300.00
15.10	17	White	\$ 250.00
18	39	Tarrats	\$ 350.00
74	4	Special	\$ 276.00
148	1.02	Doychak	\$ 1,011.00
155	3.06	Mirro	\$ 1,000.00

Mr. DeBoer seconded the motion. Upon Roll call,
Ayes: Gaechter, DeBoer, Bassani **Nays:** None **Absent:** None **Abstain:** None

Mr. Gaechter inquired regarding the status of completing the roads at the Clove Hill Manor Development. After due review and consideration, Mr. Gaechter moved to authorize the Attorney to call the Bond of this development for the purpose of completing the roads in the development. Mr. DeBoer seconded the motion. Upon Roll call,
Ayes: Gaechter, DeBoer, Bassani **Nays:** None **Absent:** None **Abstain:** None

Mayor's Statement, Continued

Mr. Gaechter reported at this time regarding an article that had been published in the New Jersey Herald, which erroneously reported on the details of the executive session discussion which was scheduled for, and took place, at this evening's meeting. Mr. Gaechter offered rebuttal comments with respect to the said newspaper article, expressing his disappointment with the extent of misrepresentations and false information that was reported.

Mayor Bassani agreed with Mr. Gaechter's comments regarding this newspaper article, offering his own rebuttal comments concerning the article. Mayor Bassani then offered a prepared statement in response to questions which had been raised recently concerning the procedures for reviewing bills, the cost of legal bills, and interaction between the Township Attorney and a resident at the July meeting:

I want to take a moment to respond to a good amount of criticism received by this Committee recently. These have come in the form of emails, phone calls and letters to the editor. For those of you who know me, you know I am always up for a good debate. You also know I am honest and forthcoming in my views. It was the way I was raised – it is who I am. But the efforts of some individuals are not to enter into a public debate with me or this Committee, but rather take the path of public ridicule and bullying. I can assure everyone here tonight that this Committee will NOT succumb to same. We will continue to stand for the rights and benefits of all the taxpayers of Wantage, and not bend to the desires of specific individuals with personal agendas or vendettas. For the record, the individuals serving on this Committee all have the best interest of Wantage at heart! The amount of time and effort we put in on public business far outweighs the small monetary compensation we receive. Since we are all small business owners, I think it is fair to say none of us are here for the money. We are here as a result of a desire, at this stage of our lives, to give back to our community. We each give up a great deal of our personal time in an effort to serve the public.

I urge those who truly want to serve to do the same: run for office. Make a commitment to your neighbors and fellow citizens that you are prepared to do more than second guess others who have already done same. In spite of what a few would have you believe, this particular Committee has done a great job in my opinion:

- Zero growth budget two years in a row (doing more with less)
- Staffing adjustments to decrease cost
- Union negotiations to save long-term monies for Wantage
- Reassessment (in progress) to better balance our tax load more evenly
- Buy local program
- Negotiated with DEP for expanded sewer service for Route 23 corridor
- Defended the Township against false claims
- Invested in our fire departments and EMT's to insure that they are best equipped to respond to the emergency needs of our citizens
- Actively working to convert our utility needs to solar and natural gas to yield long-term savings – resulting in more cost effective government

To name a few.

But, there are those who will seize every opportunity to undermine all the good we have done for reasons only those individual know. To this point, I actually received an email only this morning which includes these words: "...decisions that are frequently defended with what I have come to find are half-truths and omissions". What a great lead-in, as it is in this vein that I want to address several recent Letters to the Editor and articles.

Gettler – June 2013

Mr. Gettler writes "... since by using his title, Deputy Mayor DeBoer made it an official letter from the Wantage Township Committee". The facts: Mr. Gettler knew this was not the case, as Deputy Mayor DeBoer publically stated in a Committee meeting that his remarks were NOT those of the Committee, but rather his own. Mr. Gettler was at that meeting, and then wrote his Letter to the Editor claiming otherwise. Why did Mr. Gettler purposely mislead the taxpayers of Wantage? Perhaps at the next meeting he attends he will share same with us. He later attacks a Wantage taxpayer (Jable), apparently feeling that because Wantage is not his primary residence, that he is not as valued a taxpayer. I did not get this comment; others did not either. But his greatest misrepresentation, in my opinion, is when he states: "Tom, if you really want to see what had Ann Smulewicz so upset, just look at a mirror; she doesn't want to be forced to pay even one penny of your property taxes, nor does she want to be forced to pay even one penny toward the repair of your privately owned dam! Nor do I!" The facts: Mr. Gettler knew that the proposed plan to repay the DEP loan is a special assessment limited to the R2 zone (Lake Neepaulin). It does not include Ms. Smulwicz, nor Mr. Gettler. This hit its mark as I had several taxpayers ask me for clarification surrounding this article, believing they were going to be taxed for the dam. Once again, Mr. Gettler went out of his way to create confusion and concern – to what end? To wrap this one up, Mr. Gettler states "In closing, we don't want Wantage to ever become the owners of Lake Neepaulin and its damn dam. For most of us Wantage taxpayers, Lake Neepaulin would just be a totally useless, bottomless pit for our tax dollars." I have asked Bill this in the past: once again, who is "we"? I am not aware of the citizens of Wantage having solicited Mr. Gettler as their spokesperson.

Mayor's Statement, Continued

Smulwicz – “Sweetheart deals at Lake Neepaulin”

Ann sees fit to state “the Jables are enjoying a \$1,114 reduction on their property taxes for two years in a row on their Lake Neepaulin summer home, compliments of the slow-reacting Wantage Committee, who were more bent on trying to make Bill Gettler look bad in his heroic efforts to stop the Tax Compliance Plan than protecting non-Lake Neepaulin Wantage taxpayers from a plan that would put a financial hurt on them.” The facts: “slow reacting?” This Committee went to great lengths to stop the Compliance Plan, to the degree where our then-Mayor was cautioned to cease further efforts as we were encroaching beyond our legal bounds. Agreed, Mr. Gettler took his individual claims and accusations of “illegalities” to the State... a luxury he, as a taxpayer, has over the Committee. This resulted in a lengthy investigation by the State – and we all know the State found no evidence to support Mr. Gettler’s claims – no arrest, no legal action. “Heroic”? What some may not know is the actions of Mr. Gettler’s efforts likely cost a 1 year delay in our active reassessment. This extended the benefits of the very Compliance plan both Ms. Smulwicz and Mr. Gettler complain. Ms. Smulwicz fails to state the efforts that the Committee DID do to stop the Compliance Plan, limiting her words to “slow-reacting”. I would consider that a great omission!

New Jersey Herald article (7/9/13) – Wantage Clerk’s Actions Upheld In OPRA Dispute.

Article quotes Mayor Bassani “...still saddened by the fact that the taxpayers of Wantage were forced to once again foot the bill for almost five years of ongoing litigation at a cost of over \$14,000. I am confident we could have put the monies to better use than respond to what I believe to be a flagrant abuse of our legal process.” I stand by my position. Even if Mr. Gettler had won his suit, I feel it was a waste of taxpayers’ dollars. This suit revolved around access to a personal email address - in the end, as far as I could tell while attending the hearing for this case, - Clara Nuss’ individual personal email address. Some might remember the meeting when Mr. Gettler announced in Open Session that the Wantage Committee needed to budget monies for our legal defense for same.

Legal Fees

In recent weeks, a small number of residents have expressed concern with the extent to which legal fees in Wantage Township are reviewed, and whether or not our legal fees are too high. There have also been several residents who have expressed concern with an exchange of opinions which took place at the July 18 meeting between our municipal attorney and a member of the public. First, with respect to the legal bills of Wantage Township, I have already explained previously that all bills – be they legal or otherwise – are reviewed by our Chief Finance Officer, then double checked by our Administrator, and finally presented to the governing body for review and consideration. This is done every month. Where details are lacking or concerns exist, any one or more of these review agents investigate and resolve the concern before the bill is presented for approval of payment. Out of respect for those residents who have expressed concern about the legal fees of Wantage, I reviewed the budget for legal bills of all towns in Sussex County. The facts: Wantage Township’s average Municipal legal fees are well below many of our surrounding neighbors. Our 3 year average legal fees come in at \$89,000.

Sparta – over \$145,00 annually

Vernon – over \$250,000 annually

Frankford – over \$110,000 annually

Andover – over \$89,000 annually

Franklin – over \$90,000 annually

Newton – over \$140,000 annually

Hopatcong – over \$120,000 annually

The county-wide average per capita cost for legal bills is over \$11 per person. We are under \$8 per person. We could reduce this number even further – but that would require less lawsuits by those very people who are raising this issue. This brings me to wonder what prompted the questioning of legal fees to begin with. What I find is that the person who has brought this “concern” to the public is Mr. Bill Gettler, the individual who just lost three lawsuits to the Township, and is now taking the position that the Township spent too much money in handling its defense against his lawsuits. At best, this accusation presented by Mr. Gettler is self-serving. At worst, it is insulting to the intelligence of the Wantage public. By the way, Mr. Gettler’s attorney is still seeking his fees from Wantage Township. I have come to understand that this is how this particular attorney works: he does NOT charge his clients, but rather seeks payment from municipalities.

Letter to the Editor – Gettler (7/12/2013) – More questions in Lake Neepaulin case.

In this Letter to the Editor, Mr. Gettler goes to great lengths to defend his actions, basically making accusations against me, the Committee and again he attacks the details surrounding Mr. Garofalo’s bills. In the essence of time, I will simply say that in my humble opinion, ANY taxpayers monies spent on this suit was a waste of taxpayer dollars, no matter how hard some will attempt to justify same. This Committee goes to great lengths to remain transparent to all – regardless of the claims by some. Which bring me to the July 18th meeting.

Mayor's Statement, Continued

I believe the open public sessions of our meetings should rightly be an opportunity for members of the public to speak their mind on any issues which affect the general good of our community. This includes listening to their opinions, even in situations where we may not necessarily agree with what is being said. I feel that process was interfered with at our last meeting, and I have spoken with our attorney about this. I have explained to our attorney where I believe he lost focus in his role and my rights as Mayor to run the open public session. Mr. Garofalo has expressed an understanding of my protocols for public input, and has agreed to honor this process in the future.

I could go on to address many emails / letters / articles surrounding this meeting. I will not. I will simply say that I feel it is a shame that a select few feel the need to take the steps they have over these last few weeks to undermine this Committee as a body committed to serving ALL of Wantage Township. I consider these issues closed as they relate to the involvement of the Wantage Township governing body, and I intend now to return our focus to the legitimate and important issues facing our community.

I urge all to do the same as we enter Open Session:

- To better articulate your points.
- To present more facts than emotions.
- To present this Committee with truth without omissions.
- To help this Committee rather than attack this Committee.

And for those who truly feel this Committee is not “your” Committee, I urge you to run for office, get your message out to all, and let the voters decide. Thank you for listening.

Ron Bassani, Mayor, Wantage Township

OLD BUSINESS

Volcanic Hill Road Petition: Tabled to next meeting.

NEW BUSINESS

Liquor License Transfer Application

Mr. Doherty reported that the application for transfer of Liquor License 1924-33-001 remained administratively incomplete and therefore no action was being given consideration with respect to this application at this evening's meeting.

Approval of Minutes

Mr. Gaechter moved to adopt the minutes of the meeting held on July 18, 2013.

Mr. DeBoer seconded the motion. Upon Roll call,

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

Mayor Bassani offered an update report on the activities of the Open Space Advisory Committee. Upon discussion, the members of the governing body agreed to offer the services of Land Use Secretary Stella Salazar for secretarial assistance on an as-needed basis to the Open Space Committee. General discussion also took place regarding the means by which landlocked parcels currently owned by the Township could be authorized for review and consideration of the Open Space Committee. Mr. Doherty suggested that Township-owned lots are already, by default, “open space” parcels unless or until they are returned to the tax rolls through sale, so the Open Space Committee needs no particular separate authorization to proceed with a study and recommendations on land locked properties.

OPEN PUBLIC SESSION

Mayor Bassani opened the meeting to the public at this time, for any questions or comments involving the good and welfare of the community. Mayor Bassani announced that while he has been lax in the enforcement of the 4-minute rule as it relates to the time limit for public comments, he believed it was in the best interests of the Township to enforce this limit, and asked speakers to limit their input to four minutes or less.

Open Public Session, Continued

Ann Smulewicz, 108 Route 23, offered comments in defense of her characterization of the governing body's actions on the Compliance Plan from 2011 being "slow-reacting"; offered comments expressing her disapproval of statements made by the Township Attorney at the last meeting; and made reference to comments made by Mr. DeBoer at the last meeting regarding the year 1999. Mr. DeBoer and Ms. Smulewicz discussed this matter, with each party disagreeing with the other concerning their memory of the statements that were made. Mrs. Smulewicz also offered comments regarding the enforcement of property maintenance, and the storage of stone and patio material from a neighboring site on Route 23 property owned by Jeffrey Parrott. Mrs. Smulewicz then offered her thoughts on the concept of half-truths and omissions. Mayor Bassani requested that Mrs. Smulewicz refrain from offering input about what other people are thinking or doing, and restrict her comments to matters that she herself is thinking. Mrs. Smulewicz then offered her views regarding the matter of the Gorman lawsuit. Mayor Bassani offered response comments to Mrs. Smulewicz' various statements, stating that the County Tax Board Chairman, John Fiero denied having made comments that Mrs. Smulewicz had attributed to him. Mayor Bassani invited Mrs. Smulewicz to submit any written documentation she may have, but without such a submission, those comments must be considered hearsay. Mayor Bassani explained in detail the comments that occurred in 1999 which Mr. DeBoer had referenced at the last meeting. Mayor Bassani inquired if Mrs. Smulewicz had spent any time searching to find whether other citizens of Wantage may be violating any laws or regulations, or if her focus was limited to just Mr. Parrott and certain other select individuals. Mayor Bassani suggested that a tendency to seek out and investigate certain select individuals represented an action comparable to a vendetta. Mrs. Smulewicz stated her belief that the Township goes after Mr. Gettler. Mayor Bassani responded that the Committee does not go after Mr. Gettler, but rather, Mr. Gettler goes after this Committee, and this Committee is finally responding.

Clare Wolpert, Fernwood Road, offered statements of congratulations and support for the Mayor's statements.

Jeffrey Parrott, Possum Glen Road, offered rebuttal comments to statements made by Mrs. Smulewicz regarding his Route 23 commercial property.

Tom Jable, South Shore Drive, also offered statements of support for the Mayor's comments, and offered rebuttal comments to the comments made by Mrs. Smulewicz; offered observations regarding the Gorman Lawsuit, and with respect to William Gettler; offered observations regarding what he characterized as the negative impact of obstructionists on the Township.

Kathleen Gorman, Fernwood Road, offered comments with respect to her lawsuit against the Township, and expressed a desire for people to not use her name unless they were speaking directly to her. Mayor Bassani stated that there is no way for the governing body to keep people from mentioning the names of other people.

Jack Hingel, Clove Hill Manor, requested signs be placed on front door of town hall when a meeting is canceled. Mayor Bassani agreed to do so.

Mr. Hingel and Gini Keller, Clove Hill Manor residents, offered input regarding the status of efforts to have the roads at Clove Hill Manor completed. General discussion took place. Based on this input, the governing body directed Mr. Garofalo to hold off from calling the Bond, until the status of the roads completion can be verified.

ADJOURNMENT

There being no further items for the attention of the governing body, Mr. Gaechter moved to adjourn the meeting. Mr. DeBoer seconded the motion. Upon Roll call,
Ayes: DeBoer, Gaechter, Bassani Nays: None Absent: None Abstain: None

Mayor Bassani declared this meeting adjourned.