

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 AUGUST 13, 2015.

Mayor Gaechter called the meeting to order, and requested the Clerk call the roll. Upon roll call, the following members of the governing body were present: Mayor William Gaechter, Committeeman Ronald Bassani, and Committeeman Jon Morris. Absent: None.

Mayor Gaechter 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 and certified by the Clerk."

Mayor Gaechter invited all those present to join in the Salute to the Flag.

CONSENT AGENDA:

Mayor Gaechter requested that the governing body review and approve the Consent Agenda.

Mr. Bassani moved to authorize Approval For Filing the Following Reports:

- Tax Collector Report for July 2015
- Municipal Clerk Report for July 2015
- Board of Health Report for July 2015
- Registrar Report for July 2015
- Zoning/Code Enforcement Report for July 2015

Mr. Morris seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize Approval of Bill List for the meeting of August 13, 2015

Mr. Morris seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize the refund of tax lien redemption, tax sale premiums, and tax overpayments, as follows:

- \$ 8,556.87 to US Bank for Block 57 Lot 3 for tax sale certificate 13-14
- \$15,700.00 to US Bank for Block 57 Lot 3 for tax sale premium certificate 13-14
- \$34,499.23 to US Bank for Block 150 Lot 6.03 for tax sale certificate 13-43
- \$25,800.00 to US Bank for Block 150 Lot 6.03 for tax sale premium certificate 13-43
- \$32,816.46 to US Bank for Block 13 Lot 2.02 for tax sale certificate 03-14
- \$19,000.00 to US Bank for Block 13 Lot 2.02 for tax sale premium certificate 03-14
- \$ 56.90 to Roy Sova for Block 136 Lot 11.02 for farmland assessment overpayment

Mr. Morris seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize the refund of \$100.00 to Top Soil Plus for Block 2 Lot 31.04 for alteration soil test holes fee collected in error. Mr. Morris seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize the refund of \$2,500.00 to Peter Gigantino, Block 142 Lot 14.02 for Driveway Bond D-14-01. Mr. Morris seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize Renewal of Liquor License 1924-31-012-001 (American Legion) for the 2015-16 Licensing Term, as follows:

BE IT RESOLVED, that the Mayor and Committee of the Township of Wantage, in the County of Sussex, State of New Jersey, does hereby approve the renewal of the liquor licenses named below for the licensing term of July 1, 2015 through June 30, 2016:

CLUB LIQUOR LICENSES: 1924-31-012-001
PVT CHARLES AUBERGER POST 213 AMERICAN LEGION 915 Route 23

Mr. Morris seconded the motion. Upon roll call,

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

PAGE TWO OF THE MINUTES OF AUGUST 13, 2015

Mr. Bassani moved to authorize Certification of Annual Audit for the year 2014, as follows:

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, The Annual Report of Audit for the year 2014 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, The Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments; Recommendations

and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments; Recommendations

as evidenced by the group affidavit form of the governing body, and

WHEREAS, Such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, All members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, Failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S. 52:27BB-52, "A local officer or member of a local governing body who, after a date fixed for compliance fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office".

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Wantage, hereby states that it has complied with the promulgation of Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Mr. Morris seconded the motion. Upon roll call,

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

Mr. Bassani moved to commend Northwest NJ Community Action Partnership (NORWESCAP) upon the occasion of its 50th Anniversary, as follows:

WHEREAS, the quality and character of life in the communities across northwestern New Jersey are enriched by the concerned and dedicated efforts of organizations and individuals devoted to the welfare of the community and its citizenry; and

WHEREAS, Since 1965, Northwest NJ Community Action Partnership, Inc. (NORWESCAP) has been providing invaluable and outstanding service to the public; and

WHEREAS, NORWESCAP is one of 23 Community Action Agencies in the State of New Jersey, and one of over 1,000 nationwide, founded on a common purpose: to support low-income households as they develop their abilities to be self-supporting and develop family and community relationships that will sustain self-reliance; and

WHEREAS, Community Action was born out of the Equal Opportunity Act of 1964 initiated by President John F. Kennedy and brought to fruition by President Lyndon B. Johnson who, during a memorable State of the Union address 50 years ago, declared unconditional war on poverty; and

WHEREAS, the Economic Opportunity Act was signed into law on August 20, 1964, and not only spurred the birth of Community Action, but also inspired the introduction of Head Start one year later; and

WHEREAS, NORWESCAP was created through these efforts and;

WHEREAS, Half a century later, NORWESCAP operates fifteen major programs, and has grown to 270 full and part-time employees and more than 30,000 individuals are served each year through a multitude of anti-poverty services; and

WHEREAS, NORWESCAP is a community leader whose positive action changes people's lives, embodies the spirit of hope, improves communities, and makes New Jersey a better place in which to live; and

WHEREAS, It is appropriate that when organizations and individuals of such noble aims and accomplishments are brought to our attention, they should be recognized and applauded by all the citizens of New Jersey; now, therefore, be it

RESOLVED, That the Mayor and Committee of Wantage Township does hereby commend and congratulate the Northwest NJ Community Action Partnership, Inc. (NORWESCAP), upon the occasion of celebrating their 50th Anniversary of Community Action; and be it further

RESOLVED, that a copy of this Resolution, suitably endorsed, be transmitted to Northwest NJ Community Action Partnership of Phillipsburg, Inc.

Mr. Morris seconded the motion. Upon roll call,

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

PAGE THREE OF THE MINUTES OF AUGUST 13, 2015

CONSENT AGENDA, Continued

Mr. Bassani moved to endorse and confirm the action taken by the Administrator to enter into a contract with Ken Nelson for the preparation of a Redevelopment Plan, at a cost not to exceed \$3,000. Mr. Morris seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize a contract with Tilcon NY in the amount of \$215,261.10 for Improvements to Lake Neepaulin Roads. Mr. Morris seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize a contract with Denville Line Painting in the amount of \$3,815.40 for Improvements to Lake Neepaulin Roads.

Mr. Morris seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize a contract with General Foundries, Inc., in the amount of \$6,335.00 for Improvements to Lake Neepaulin Roads.

Mr. Morris seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize a contract with Tilcon NY in the amount of \$162,748.00 for Improvements to Lower Unionville Road. Mr. Morris seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize a contract with Denville Line Painting in the amount of \$2,032.80 for Improvements to Lower Unionville Road. Mr. Morris seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize a contract with Tilcon NY in the amount of \$145,005.35 for Improvements to Pidgeon Hill Road. Mr. Morris seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize a contract with Denville Line Painting in the amount of \$5,528.70 for Improvements to Pidgeon Hill Road. Mr. Morris seconded the motion. Upon roll call,

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

Mr. Bassani moved to authorize a contract with General Foundries, Inc. in the amount of \$1,560.00 for Improvements to Pidgeon Hill Road. Mr. Morris seconded the motion. Upon roll call,

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

ADMINISTRATOR'S REPORT:

2014 Report of Audit: Mr. Doherty distributed the Affidavit of Audit, for the signatures of the governing body members.

Corrective Action Plan: Mr. Bassani moved to authorize acceptance of the Chief Finance Officer's Corrective Action Plan for the 2014 Audit. Mr. Morris seconded the motion. Upon roll call,

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

Resident requests for Speed Bumps: Upon review and consideration, the members of the governing body confirmed that their decision to place speed bumps on South Shore Drive represented a stand-alone decision based on the road's proximity to a municipal park, and that otherwise, the Township's position is to not endorse the use of speed bumps on municipal streets, and no budgetary provision has been made for such installations.

Request by JCP&L for Resolution of Support: The members of the governing body held discussion with Jackie Espinoza of JCP&L regarding their request that Wantage adopt a resolution of support for the JCP&L Montville-Whippany Reinforcement Project.

PAGE FOUR OF THE MINUTES OF AUGUST 13, 2015

After due consideration, Mr. Bassani moved to adopt the following resolution DECLARING TOWNSHIP OF WANTAGE RESOLUTION OF SUPPORT FOR THE JCP&L MONTVILLE - WHIPPANY REINFORCEMENT PROJECT:

WHEREAS The Township of Wantage recognizes that reliable electric service plays a crucial role in the daily lives of Township residents; and

WHEREAS The Township of Wantage recognizes that reliable electric service also is critical to the local businesses within our community, and drives commerce in our Township and across the region; and

WHEREAS The Township of Wantage supports efforts to enhance our energy infrastructure to continue to provide families and businesses the reliable source of energy they need; and

WHEREAS The Township of Wantage believes Jersey Central Power and Light Company's (JCP&L)

Montville - Whippany Reinforcement project will enhance service reliability and system redundancy, and meet the ever-increasing demand for power in our township; and

WHEREAS The Township of Wantage has been informed that in the event of a transmission disruption or during periods of great demand, this new line can reroute electricity to help reduce the frequency and duration of outages; and

WHEREAS The Township of Wantage has been informed that the approximate \$35 million investment will provide greater flexibility for rerouting power; and

WHEREAS The Township of Wantage understands that this project will help to enhance the reliability of electric service today and in the future for approximately 86,000 customers in Morris and Sussex Counties.

WHEREAS The Township of Wantage believes that JCP&L has made a good-faith effort to keep the community informed about this project and to limit any disturbances to our local businesses or the fine families that comprise the Township of Wantage.

NOW, THEREFORE, BE IT RESOLVED that Mayor and Committee of Wantage Township hereby finds and declares:

1. That the Montville - Whippany Reinforcement Project will benefit residents and businesses in the Township of Wantage and throughout Sussex County by enhancing the reliability and redundancy of the electric system and by limiting disruptions to our electric service.
2. The Montville - Whippany Reinforcement Project should be approved by the New Jersey Board of Public Utilities.

Mr. Morris seconded the motion. Upon roll call,

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

Mr. Doherty requested consideration of a refund resolution that was presented for consideration after the Consent Agenda had been prepared.

Mr. Morris moved to authorize the refund of \$17.06 to Jesse Wolosky for a tax overpayment on Block 148 Lot 15. Mr. Bassani seconded the motion. Upon roll call,

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

Construction of Docks: Mr. Doherty stated that Hardyston has presented details of how they handle requests for construction of docks. Mr. Doherty inquired if the governing body were inclined to adopt the same procedure for Wantage. The governing body decided to give this matter additional consideration before making a determination, and asked Mr. Doherty to bring the question up again at the September 10 meeting.

Bond Release Request – Quick Chek: Mr. Doherty explained the input of Township Engineer Harold Pellow, and suggested the governing body authorize release of the Bond contingent upon verification from the Engineer that satisfactory paving of Clark Road has been accomplished by Quick Chek.

Mr. Bassani moved to authorize release of the Bond upon a report from the Engineer that satisfactory paving of Clark Road has been accomplished by Quick Chek.

Mr. Morris seconded the motion. Upon roll call,

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

Mr. Doherty stated the rest of his report was informational in nature, and did not call upon the governing body to take any particular action at this point in time.

Mayor Gaechter noted there has been no response to date from the State Health Department on the issue of Swimming at Lake Neepaulin. Mayor Gaechter stated that he recently saw several examples throughout the State of New Jersey which utilize “Swim At Your Own Risk” as a policy.

Regarding concerns about Odors at RER Recycling, Mayor Gaechter reported that ongoing communication is being held with the County Health Department. Mayor Gaechter pointed out that the Wantage governing body has no direct power to deal with this concern, but would continue to voice expressions of displeasure and requests for review and consideration of remedial action directed to NJDEP and County Health.

ATTORNEY REPORT:

Mr. Keinz reported progress on the legal steps being taken to protect the Township’s interests in terms of COAH compliance.

PAGE FIVE OF THE MINUTES OF AUGUST 13, 2015

COMMITTEE REPORTS:

Mayor Gaechter noted the recent passing of long time Wantage resident and farmer Bill Sytsema, who will be remembered as a hard working family man who continued to work his farm for years even in the face of a debilitating illness.

OLD BUSINESS:

Liquor License Transfer

Mr. Morris moved to approve a RESOLUTION FOR PERSON-TO-PERSON TRANSFER OF LIQUOR LICENSE, as follows:

WHEREAS, on June 23, 2015, an application was filed by STUFFED OLIVE LLC for a person to person transfer of Plenary Retail Consumption License #1924-33-003-008, heretofore issued to ARETEO LLC, for an active license in the Township Of Wantage, New Jersey; and

WHEREAS, the Alcoholic Beverage Retail Licensee Clearance Certificate allowing for the Transfer of this license was issued by the New Jersey Division of Taxation on July 7, 2015, and

WHEREAS, the submitted application form is complete in all respects, and the transfer fees have been paid; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee of the Township Of Wantage in Sussex County, New Jersey, does hereby approve, effective August 14, 2015, the transfer of the aforesaid Plenary Retail Consumption License to STUFFED OLIVE LLC, trading as Green Olive, and does hereby direct the Township Administrator Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to STUFFED OLIVE LLC, trading as Green Olive, effective August 14, 2015."

Mr. Bassani seconded the motion. Upon roll call,
Ayes: Bassani, Morris, Gaechter Nays: None Absent: None Abstain: None

NEW BUSINESS:

Introduction: Ordinance 2015-09 (Master Plan Special 5 Year Emergency)

Mr. Bassani moved to introduce on First Reading, Ordinance 2015-09, entitled "AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION AS AUTHORIZED BY N.J.S. 40A:4-53 et. seq., FOR THE PREPARATION OF A REVISED MASTER PLAN" with a final hearing date scheduled for September 10, 2015. Mr. Morris seconded the motion. Upon roll call,

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

Approval of Minutes

Consideration of the approval of the minutes of the Regular Meeting and Executive Session of the Wantage Township governing body held on July 9, 2015 was tabled until the September meeting.

OPEN PUBLIC SESSION:

Mayor Gaechter opened the meeting to the public for any questions or comments at this time.

Karen Merritt, Alpine Road, asked if liquor license transfers in New Jersey were done at the local level of government. Mr. Doherty offered a response in the affirmative.

OPEN PUBLIC SESSION, Continued

Kathy Gorman, Fernwood Road, inquired regarding whether an inspection is conducted upon a new occupancy on a rental property. Mr. Doherty offered a response in the affirmative.

There being no further proposed action before the governing body for consideration, Mayor Gaechter closed the meeting to the public and the governing body continued with the regular order of business.

EXECUTIVE SESSION

Mr. Bassani moved to enter into closed 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 matters involving negotiations.

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. Morris seconded the motion. Upon roll call,

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

The governing body entered into closed session at this time. After meeting in closed session, the members of the governing body returned to open session and continued with the regular order of business.

Mr. Kienz explained the topic of conversation in executive session was negotiations and once these negotiations are settled, the details of this discussion will be disclosed as a public record.

Motion by Mr. Bassani, Second by Mr. Morris, to adjourn. Upon roll call,

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

Mayor Gaechter declared the meeting to be adjourned.

Respectfully Submitted,

James R. Doherty, Administrator Clerk