

**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 JANUARY 28, 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 December 2009
- Construction Department Report for the Month of December 2009
- Board of Health Report for the Month of December 2009
- Registrar's Report for the Month of December 2009
- Tax Collector's Report for the Month of December 2009
- CFO Certificate of Determination and Award for Bond Anticipate Note 10-01

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 Animal Control Services Contract with Montague Township for services during the months of January and February 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 Mayor to sign the Settlement Agreement and Release for Marcia Snyder; accepting the retirement of Marcia Snyder from employment with Wantage Township effective June 30, 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 accept the Mayor's nomination and confirming the appointment of Ezra John Holley as a member of the Board of Health, for a term running through 12/31/2013.

Mr. Gaechter seconded the motion. Upon roll call,

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

Mr. DeBoer made a motion to accept the Projects entitled Holland Road Section 1 and Berry Road Improvements, as per the recommendation of Township Engineer Harold Pellow dated January 13, 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 accept award the contract for 2010 Field Maintenance Service to Farmside Landscape & Design of Wantage, NJ in the amount of \$10,050, representing the lowest quotation submitted as of the deadline date of January 25, 2010.

Mr. Gaechter seconded the motion. Upon roll call,

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

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Mr. DeBoer made a motion to authorize the refund of \$726.08 to Hope Church for a completed escrow application associated with Block 2 Lot 51.01.

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 the refund of \$7,100 to Robrt Rothman for a tax sale premium associated with Block 59 Lot 18. 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 refund of \$904.47 to Karen Avitablle and S. Snook for a tax overpayment associated with Block 76 Lot 20.

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 a correction due to error in the Added Assessment of Block 24 Lot 1.01 QTO1, removing a double assessment which had been created by said error.

Mr. Gaechter seconded the motion. Upon roll call,

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

MAYOR'S PROCLAMATION:

Mayor Nuss offered congratulations to Christopher Evertz of Boy Scout Troop 97, upon achieving the rank of Eagle Scout:

WHEREAS, Christopher Evertz 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, Christopher has held numerous Leadership positions, and

WHEREAS, Christopher 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, Clara Nuss, Mayor of the Township of Wantage, hereby offer my congratulations to Christopher Evertz 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

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

Mr. DeBoer made a motion to approve a Resolution in Support of the Provision of Water Allocation from the Borough of Hamburg the Quarry Crossroads Project Located in the Township of Wantage on Properties Designated as Block 10 Lot 1.01 and Block 11 Lot 5:

WHEREAS, the Wantage Township Plan Endorsement Advisory Committee and the Wantage Township Committee on August 14, 2008 recommended that properties located in the Township of Wantage designated as Block 10, Lot 1.01 and Block 11, Lot 5 on the Wantage Township Tax Map be included on the Sussex County Sewer Service mapping as consistent with the development goals of the Township of Wantage and its master plan, and

WHEREAS, Wantage Township Committee on October 29, 2009 endorsed a plan amendment to the Wantage Township Waste Water Management Plan and Sussex County Water Quality Plan to permit the discharge for the proposed waste water treatment facility and to provide for onsite ground water discharge for the properties designated as Block 10, Lot 1.01 and Block 11, Lot 5 on the Wantage Township Tax Map, and

WHEREAS, the October 29, 2009 Resolution sets forth the proposal of the property owner to construct a waste water treatment facility with waste water flow capacity as calculated using NJDEP formula of 150,000 gallons per day which is over the NJDEP threshold of 2,000 gallons per day requiring the construction of a waste water treatment plant meeting that capacity requirement, and

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RESOLUTION, continued

WHEREAS, copies of the resolutions are attached hereto, and

WHEREAS, the Wantage Township Committee supports the provision of water capacity to the referenced properties in order to facilitate the development proposal,

NOW, THEREFORE, BE IT RESOLVED, that the Wantage Township Committee does hereby express its recommendation that the Borough of Hamburg and the Borough of Hamburg Board of Public Works allocate at least 150,000 gallons per day of its water capacity to the properties designated on the Wantage Township Tax Map as Block 10, Lot 1.01 and Block 11, Lot 5.

Mr. Gaechter seconded the motion. Upon Roll Call:

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

Mr. Gaechter made a motion to approve a Raffle License RL10-01 for High Point Regional High School Booster Club for an Off Premise Raffle for Merchandise to be held on March 26, 2010 at the High Point Regional High School. Mr. DeBoer seconded the motion.

Upon Roll Call:

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

Mr. Gaechter made a motion to approve a Raffle License RL10-02 for High Point Regional High School Booster Club for an Off Premise 50/50 to be held on June 10, 2010 at the High Point Regional High School. Mr. DeBoer seconded the motion. Upon Roll Call:

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

Mr. DeBoer made a motion to accept the NJ State Firemen's Association Membership Application of Angela D. Thompson, 288 Route 519, Apt. 3, for the Beemerville Fire Department. Mr. Gaechter seconded the motion. Upon Roll Call:

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

The Governing Body offered congratulations to Sara Miebach for achieving a score of 1,000 basketball points in her high school basketball career at Sussex Vocational-Technical School.

Mayor Nuss made a motion to authorize Mr. Doherty to sign a right of way for Sussex Rural Electric to install lighting at Woodbourne Park. Mr. DeBoer seconded the motion.

Upon Roll Call:

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

ADMINISTRATOR'S REPORT

Amendment Dog Park Rules and Regulations: Mr. Doherty reported that the Dog Park Committee has requested that the rules and regulations of the Park be amended to reflect a policy regarding dog bites. Mr. Garofalo will review for the February 11 meeting. Mr. Doherty will ask Mr. Baker to attend.

Mr. Doherty distributed the 2009 Current Revenue trial balance.

Negotiations: Mr. Doherty reported that the office Staff Union representative says that the issue of the paid lunch hour versus unpaid half hour lunch represents a threshold issue for further negotiations. Mr. Doherty requested a brief executive session to address this matter as well as Sussex Borough Interlocal Service Negotiations.

Request for Additional Sick Leave: Mr. Doherty reported that a DPW employee has requested 33 additional sick leave days as per the union contract. General discussion took place regarding this benefit.

Mr. DeBoer made a motion to grant extended sick leave to Bob Crum as per the contract.

Mr. Gaechter seconded the motion. Upon Roll Call:

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

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Neilson Road Speed Limit: Mr. Doherty reported that several residents have requested the Township post a speed limit on Neilson Road. In order to adopt a local speed limit ordinance, the Township would need to authorize the Township Engineer to conduct a speed study report. The Committee suggested placing more "SLOW" caution signs as a first step to see if that action provides desired relief.

Recreation Board Appointment: Mayor Nuss confirmed the appointment of Tanya Chiofalo as Alternate #2 to the Recreation Commission for a term running through 12/31/2010.

ATTORNEY'S REPORT

Mayor Nuss requested Mr. Garofalo present the Attorney's report. Mr. Garofalo informed the Committee that Governor Christie signed an executive order to dismantle COAH. Mr. Doherty advised that this may not relieve the Township of its affordable housing obligation.

COMMITTEE REPORTS

Mr. DeBoer expressed sympathy and condolences to the family of Art LaBourseur, a member of the Colesville Fire Company, who passed away recently.

Mayor Nuss informed the Committee that a Project Alert drug awareness program is scheduled for March 3, 2010 at the Sussex Wantage School from 7:00 to 9:00 pm. The Mayor urged everyone to attend and asked Mr. Doherty to have the meeting posted on the website.

OLD BUSINESS - None

NEW BUSINESS

Introduction of Ordinance 2010-01: 3-Way Stop Intersection

Mr. Gaechter made a motion to introduce on first reading, Ordinance 2010-01 entitled "AN ORDINANCE ESTABLISHING A THREE-WAY STOP INTERSECTION AT CRIGGER AND NEILSON ROADS WITHIN THE TOWNSHIP". Final Hearing date will be scheduled for February 11, 2010. Mr. DeBoer seconded the motion. Upon roll call,

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

Introduction of Ordinance 2010-02: Soil Removal Bond Amendment

Mr. DeBoer made a motion to introduce on first reading, Ordinance 2010-02 entitled "AN ORDINANCE TO AMEND CHAPTER XXIII SOIL REMOVAL". Final Hearing date will be scheduled for February 11, 2010. Mr. Gaechter seconded the motion. Upon roll call,

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

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. Garofalo informed the Committee that they have 35 days to respond to the Land Use Board.

Approval of Minutes

Mr. DeBoer made motion to approve the Organization Meeting of the Wantage governing body held on January 7, 2010; the first regularly scheduled meeting of the Wantage governing body held on January 7, 2010; and the Budget Work Session meeting held on January 21, 2010.

Mr. Gaechter seconded the motion. Upon roll call,

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

Mr. Gaechter made motion to approve the Budget Work Session meeting held on January 15, 2010. Mayor Nuss seconded the motion. Upon roll call,

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

OPEN PUBLIC SESSION

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

Karen Merritt asked for the date of the Project Alert Meeting and stated that heroin has been a long standing problem in the area.

Mr. Gettler, Gemmer Road, commented that two cars passed him on the way in, ignoring the no passing zone; informed the Committee that his neighbors use their outdoor furnaces year round for hot water; and gave his estimates regarding school and county tax rates for 2010.

As there was no one else from the public who wished to address the Committee, 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 involving employee unions and shared service negotiations with Sussex Borough". 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, 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.

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