

**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 JANUARY 27, 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 Gaechter, 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.

Sussex Fire Department Representatives

Mayor DeBoer invited representatives of the Sussex Fire Department to address the governing body, and welcomed them on behalf of the Township.

Sussex Fire Chief Dan Stoll and Deputy Chief Rich VanderPloeg offered their best wishes to the governing body and pledged continued support and cooperation in attending to the firematic needs of the community. Chief Stoll stated they would be in contact soon to commence renegotiation of the 5-year Service contract between Sussex Fire Department and Wantage Township, which comes due for renewal in 2012. Chief Stoll presented the 2011 Roster of Line Officers for Sussex Fire Department, as well as a report of 2010 Call activity.

Mayor DeBoer offered comments of appreciation and thanks on behalf of the Wantage Township community, for the efforts and accomplishments of the Sussex Fire Department.

High Point Regional High School Discussion with Governing Body

High Point High School Board of Education member Joseph Hoffmann introduced himself to the governing body as the Chairman of the Finance Committee for the said board, and was joined by School Board Administrator Linda Alvarez and Board members Ed Vander berg, Ken Nelson and Garrett Link.

Mr. Hoffmann offered a presentation summarizing the accomplishments and status of the current Board of education budget, and offered projections of anticipated cost burden for the upcoming school budget. Mr. Hoffmann reviewed the findings of four separate audit reports conducted; offered details regarding status of negotiations and existing contract obligations; and reviewed various budget line items within the school budget.

Mayor DeBoer asked if the Board was investigating any alternative energy options for the school complex, such as solar panels.

Mr. Hoffmann said that they were indeed reviewing such options but the opportunity for public entities to reap a benefit from such projects is compromised because tax credits available to private entities are not on the table for public entities. Mr. Nelson reiterated that various options are indeed being investigated with regard to alternative energy.

Mayor DeBoer initiated a discussion regarding the costs and options for providing Bus service to students. Mr. Vander berg reported that the Board is constantly reviewing options and strategies to stay cost effective.

Mayor DeBoer initiated a discussion of the recent decision of the Sussex Technical School to impose a \$2300 student tuition fee, the bill for which is to be paid by the sending school districts. Mayor DeBoer indicated that the governing body would be giving consideration to a resolution of support for the High Point Board of Education's opposition to this additional tuition fee charge, later in the meeting.

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Mr. Gaechter initiated a discussion regarding health benefit costs within the school budget. General discussion took place with respect to that topic.

Mr. Gaechter asked for a clarification regarding the anticipated increase in contractual obligations and cost increases for the upcoming school budget, asking if he understood correctly that there will be close to a \$1 million increase in said costs even before accounting for the Technical School tuition cost increase.

Mr. Hoffmann confirmed the above estimate as being accurate.

Mr. Bassani initiated a discussion regarding various details of the presentation offered by Mr. Hoffmann. Discussion included current condition of building; review of salary increases over a 3 year period; status of meeting Technology needs; and possible strategies for dealing with anticipated cost increases.

Mr. Gaechter asked for a clarification regarding where the money was coming from to accomplish improvements to bleachers and gym floors.

Ms. Alvarez explained that this money was generated from Discounts on premiums earned on Insurance policies. Ms. Alvarez clarified that budget funds were not utilized for the completion of this project.

Ms. Alvarez informed that Superintendent John Hannum and various members of the Board of Education would be joining her again on March 31 here at Wantage Township Municipal building, to offer the annual budget review for the benefit of the governing body prior to the School Election in April.

Mayor DeBoer thanked Ms. Alvarez, Mr. Hoffmann, and the board members for attending this evening's meeting.

CONSENT AGENDA

Prior to giving consideration to the Consent Agenda, Mayor DeBoer stated that there was a recent letter to the editor in the New Jersey Herald Newspaper, about the use of consent agendas in Wantage Township. Mayor DeBoer stated that copies of the proposed consent agenda are always provided to members of the public at the start of a meeting, and any one who ever has any questions regarding an item on a consent agenda has an opportunity to ask for clarification on that topic during the portion of the meeting which is opened to the public for questions or comments.

Mr. Gaechter commented that he took the liberty of reviewing every consent agenda he has voted on since commencing his term of office, and could find nothing other than matters of routine business. Nor could he find any instance in which a member of the public questioned anything on the consent agenda during a meeting. Mr. Gaechter inquired if the author of this letter to the editor had any objection to something in particular on this or any consent agendas that could be addressed.

Ms. Cathy Gorman indicated her belief that Mr. Gaechter and Mayor DeBoer were failing to understand the main points she was presenting in her letter to the editor.

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.

CONSENT AGENDA, continued

Mr. Gaechter moved to authorize the following reports for filing:

- ≡ Construction Department Report for December 2010
- ≡ Board of Health Report for December 2010
- ≡ Clerk's Report for December 2010
- ≡ Tax Collector Report for December 2010
- ≡ Registrar Report for December 2010

Mr. Bassani seconded the motion. Upon roll call,

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

Mr. Gaechter moved to approve the 2011 Shared Service Agreement with Franklin Borough for use of the Wantage Township Vehicle Wash Station.

Mr. Bassani seconded the motion. Upon roll call,

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

Mr. Gaechter moved to confirm submission of \$2,448 fee to NJDEP for a General Permit allowing Transition Area Waiver and a Minor Road crossing, to allow the proposed improvement project for the intersection of Newman Road and Newton Avenue to proceed.

Mr. Bassani seconded the motion. Upon roll call,

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

Mr. Gaechter moved to authorize refund of \$1,000 to World Trade Ins. Corp for release of Soil Erosion Bond on Block 26 Lot 7.04. Mr. Bassani seconded the motion. Upon roll call,

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

Mr. Gaechter moved to authorize refund of \$3450 to Harry Meincke for release of Driveway Bond on Block 165 Lot 15. Mr. Bassani seconded the motion. Upon roll call,

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

Mr. Gaechter moved to authorize the cancellation of \$60,088 in bonds authorized and not issued, and the \$63,250 capital improvement identified in Bond Ordinance 2009-14 for Upgrade of Fuel Tank and Pumps, as this project was fully funded by a Share Grant received from the State of New Jersey. Mr. Bassani seconded the motion. Upon roll call,

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

Administrator's Report

Proposed Ordinance 2011-03

Mr. Doherty presented a proposed Ordinance to cancel Bond Ordinance 2008-04 (Open Space Tax), which action was discussed at the January 20 budget meeting.

Mr. Gaechter moved to introduce Ordinance 2011-03, entitled "AN ORDINANCE RESCINDING ORDINANCE 2008-04", with a final hearing date of February 10, 2011.

Mr. Bassani seconded the motion. Upon roll call,

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

Discussion of Staffing Needs for Land Use Board

Mr. Doherty reported that, as per direction provided at the budget meeting of January 20, he has provided the Land Use Secretary with a Rice Notice to attend this evening's meeting to discuss the workload and staffing needs of the Land Use Office. The employee has expressed a desire for this discussion to take place in closed executive session.

Administrator Report, continued

Release of Executive Session Minutes

Mr. Doherty explained that once a year, the Attorney and Clerk review existing Executive Session minutes for the purpose of determining which minutes are appropriate for release as open public records under the standards provided by the Open Public Meetings Act. The list being recommended for release at this time is as follows:

Full release: 10/11/07, 12/11/08, 10/15/09, 12/10/09, 1/28/10, 2/11/10, 4/15/10, 7/8/10 #2.
5/29/08: Release paragraph 2, retain paragraph 1
3/25/10: release of employee negotiations discussions; retain balance as attorney client privilege.
5/13/10: confirming action; previously released.
11/11/10 - release Stefanelli discussion, retain negotiations portion.

Mr. Gaechter moved to authorize the release of Executive Session minutes as recommended by the Clerk and Attorney, shown above. Mr. Bassani seconded the motion. Upon roll call, **Ayes:** Gaechter, DeBoer **Nays:** None **Absent:** None **Abstain:** Bassani

Budget Update

Mr. Doherty suggested holding another Budget Meeting at 9 am on February 3. The purpose of that meeting would be for CFO Michelle La Starza to present a projection scenario regarding anticipated surplus, revenue, Reserve For Uncollected Taxes, and a projected local tax rate for 2011 under that scenario. The governing body members would then be invited to review with the Administrator any particular budget line items they wish to bring up for consideration of potential adjustment prior to introduction of the budget.

The members of the governing body expressed consensus support for advertising and holding this special meeting.

Request For Resolution: High Point High School Opposition to Tech School Tuition Fee

Mr. Doherty presented a draft resolution which would support the High Point Board of Education's opposition to the new tuition requirement being charged to each sending district for Sussex Technical School students starting in the 2011-2012 school year. At the request of Mr. Gaechter, Mr. Doherty read the text of this proposed resolution for the consideration of the governing body and the information of the general public. Mr. Gaechter stated that the proposed resolution is not drafted with the intention of speaking for or against the High Point school budget, but rather to express opposition to the tuition fee being imposed by Sussex Technical School.

Mr. Bassani moved to adopt the following **RESOLUTION SUPPORTING POSITION OF HIGH POINT REGIONAL HIGH SCHOOL BOARD OF EDUCATION IN OPPOSING TUITION FEE IMPOSED BY SUSSEX COUNTY VOCATIONAL SCHOOL BOARD OF EDUCATION:**

WHEREAS, it has recently come to the attention of the Mayor and Committee of the Township of Wantage that the Sussex County Vocational School Board of Education has decided to impose a tuition fee for the 2011-2012 school year on all school districts that have students attending the vocational school, and

WHEREAS, this tuition fee is intended to offset the reduction in funds that the Sussex County freeholders contribute to the Vocational School budget, and

WHEREAS, the High Point Board will be assessed a tuition fee of \$2,300 per student by the Vocational School Board, and

WHEREAS, the High Point Board anticipates a tuition assessment of more than \$230,000 by the Vocational School Board, and

WHEREAS, such a fee will result in draconian budgetary cuts in the High Point budget, and

WHEREAS, in the opinion of the Mayor and Committee of the Township of Wantage, there is no net value to the taxpayers of Sussex County by reducing tax burden on the county level only to increase it again at the local and school level, and

WHEREAS, the vocational school board should be looking to reduce its budget or enter into shared services agreements or explore other cost reduction matters, so as to offset the Freeholders' decision to reduce their financial support, rather than impose a tuition fee,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee of the Township of Wantage supports the position of High Point Regional High School Board of Education in opposing the said tuition fee.

Mr. Gaechter seconded the motion. Upon roll call,

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

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Attorney's Report: Mr. Garofalo requested an executive session under attorney-client privilege to discuss the matters listed on the agenda for Old business, involving the Lake Neepaulin Dam issue.

Township Committee Member Reports

Mayor DeBoer stated that the Township has been hit hard with snow storms so far this winter. Mayor DeBoer pointed out that the snow plowing and snow clearing activities of the Public Works Department is not an easy job, and expressed his appreciation for the hard work and dedication of the employees of the Wantage Township DPW.

EXECUTIVE SESSION

Mr. Gaechter moved to enter into 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):

≡ Matters falling within the attorney-client privilege: Lake Neepaulin Dam Litigation

≡ A matter involving the employment, appointment, termination of employment, terms and conditions of employment, of a specific public employee employed by the public body: Land Use Secretary.

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. Bassani seconded the motion. Upon roll call,

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

After meeting in closed session, Mr. Bassani moved to return to regular open session and continued with the regular order of business. Mr. Gaechter seconded the motion.

Upon roll call,

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

OLD BUSINESS:

FOLN Co-Borrower's Agreement

Mr. Bassani moved to authorize the Mayor and the Clerk to sign the proposed Dam Rehabilitation Co-Borrower Agreement By and Between the Township of Wantage and Friends of Lake Neepaulin, Inc. Mr. Gaechter seconded the motion. Upon roll call,

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

Loan Agreement

Mr. Bassani moved to authorize the Mayor and the Clerk to sign the proposed Loan Agreement between the State of New Jersey, the Friends of Lake Neepaulin, Inc., and the Township of Wantage, authorizing the attorney to strike from the agreement the words "threatened litigation". Mr. Gaechter seconded the motion.

On the question, Mr. Garofalo offered an explanation of the motion, stating that while it is the intention of the governing body to give consideration to this authorization, upon his legal advice they are striking from the agreement any and all statements which would indicate that there has been no threatened litigation with respect to the said action. There being no further discussion desired on this motion, Mayor DeBoer called for a roll call vote on the motion.

Upon roll call,

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

OLD BUSINESS, continued

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.

Mr. Scott Readlinger of Hale Insurance offered a brief review and presentation of his firm's qualifications and experience.

The members of the governing body expressed consensus for taking action with respect to this topic at the February 10 meeting.

Request for Direction: 2011 Park Maintenance Options

Held over for action from the January 20, 2011 Budget Meeting, the members of the governing body reviewed options available for this issue.

After due review and consideration, Mr. Gaechter moved to decline the automatic renewal option of the Township's contract with Greenleaf Landscaping for 2011; authorize the Wantage Township Public Works Department to once again handle the mowing and landscaping needs of the municipal parks utilizing their personnel; and authorizing the Administrator to reduce the Buildings and Grounds budget line item by \$15,000 for 2011.

Mr. Bassani seconded the motion. Upon roll call,

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

Mr. Gaechter observed that, over time, a courtesy arrangement was made between the Township and the Sussex Wantage Board of Education in which the Township plows the parking lot area of the Wantage School. At the same time, however, the Township remains responsible for mowing the soccer field it leases at the Lawrence School site, even though the school has a contractor on site mowing and maintaining the rest of that school site's property. Mr. Gaechter requested the Administrator approach the Board of Education to request that equitable arrangements for shared resources would indicate an appropriate arrangement in which the Township will continue to plow the Wantage School provided the Board of Education mow the lawn area of the soccer field at the Lawrence School. The members of the governing body expressed consensus with this recommendation.

Request for Action: Municipal Court Staffing for 2011

The members of the governing body gave general review and discussion to the recommendations of Judge Craig Dana and Administrator Jim Doherty for hiring personnel to staff the 2011 Municipal Court offices.

Mr. Bassani moved to hire Tanya Ell as the full time Court Administrator of Wantage Township, effective February 15, 2011, at a starting salary of \$42,000 per year pro-rated from date of hire up through April 30, 2011, at which point the annual salary shall become \$45,000 per year pro-rated for May 1 through December 31, 2011.

Mr. Gaechter seconded the motion. Upon roll call,

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

NEW BUSINESS:

Final Adoption of Ordinance 2011-01: Capital Ordinance – DPW Equipment

Mr. Gaechter moved to adopt on final reading, Ordinance 2011-01 entitled "ORDINANCE APPROPRIATING THE SUM OF \$7,000.00 FOR THE PURCHASE OF BRINE SPREADERS". 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

NEW BUSINESS, continued

Introduction of Ordinance 2011-02: 3-Town Court System

Mr. Bassani moved to introduce on first 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", with a final hearing date scheduled for February 10, 2011.

Mr. Gaechter seconded the motion. 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 meetings of the Wantage governing body held on January 6, 2011 (Organization and Regular meeting), the Budget meeting of January 13, 2011, and the Budget meeting of January 20, 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.

William Gettler, Gemmer Road, inquired if the correct name of the school is Sussex Vocational Technical School, Sussex Technical School, or Sussex Vocational School. Mr. Gettler pointed out that the resolution adopted by the governing body referenced the Sussex Vocational School, which may not be the correct name for the school.

Mr. Gaechter expressed confidence that the school board in question would get the Township's message, regardless of the official name of the school.

Mr. Gettler offered an analysis of what he believes the tax impact could be from the Sussex Technical School tuition fee issue.

Mayor DeBoer suggested that Mr. Gettler might wish to attend a Freeholder meeting to address his concerns on this topic.

General discussion ensued regarding this topic.

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.