

**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 APRIL 7, 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. Also present: Township Attorney Representative Angelo Bolcato, Chief Finance Officer Michelle La Starza. The following members were absent: None.

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.

SIGNING CEREMONY: TRI-TOWN COURT

At this time, Wantage Township Mayor Bill DeBoer, Sussex Borough Mayor Christian Parrott, and Stillwater Township Deputy Clerk Timmy Fisher signed the Shared Services Agreement creating the Joint Municipal Court of Wantage Township, Sussex Borough and Stillwater Township. Judge Craig Dana and Court Administrator Tania Ell joined the dignitaries for the signing ceremony. All parties present expressed satisfaction with the negotiations process which led to this cost-saving measure for the three municipalities.

CONSENT AGENDA

Mayor DeBoer requested that the members of the Committee review the Consent Agenda.

Mr. Bassani expressed a desire for separate review and consideration of the bill list.

There being no Committee member present wishing to comment on the proposed Consent Agenda, Mayor DeBoer requested approval of the remainder of the Consent Agenda.

Mr. Gaechter moved to approve the following for filing:

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

Mr. Bassani seconded the motion. Upon roll call,

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

Mr. Gaechter moved to approve Raffle License RL 11-09 to Beemerville Ladies Auxiliary Fire Dept, to conduct an on site merchandise raffle on June 10, 2011

Mr. Bassani seconded the motion. Upon roll call,

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

Mr. Gaechter moved to approve Raffle License RL 11-10 to Beemerville Ladies Auxiliary Fire Dept, to conduct an on site 50/50 raffle on June 10, 2011

Mr. Bassani seconded the motion. Upon roll call,

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

Mr. Gaechter moved to approve Refunds of \$14.00 to Debbie Butchko for refund of dog license #1484 (dog deceased before license mailed); \$ 4.00 to Marilyn Martagena for dog license late fee overpayment; \$ 4.00 to Jason Lubeck for dog license late fee overpayment

Mr. Bassani seconded the motion. Upon roll call,

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

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Mr. Gaechter moved to approve the Annual Soil Removal Certification for Charles & Audrey Sargent of Dyer Road, the Annual Soil Removal Certification for Lois H. Wright of Route 23, and the Annual Soil Removal Certification for Shotco, Inc., for Route 23.

Mr. Bassani seconded the motion. Upon roll call,

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

Mr. Gaechter moved to approve Evelyn Baig switching from Regular Member to Alternate Member of the Board of Recreation Commissioners, with a new term expiration of 12/31/14

Mr. Bassani seconded the motion. Upon roll call,

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

Mr. Gaechter moved to approve Tanya Chiofalo switching from Alternate Member to Regular Member of the Board of Recreation Commissioners, with a new term expiration of 12/31/15.

Mr. Bassani seconded the motion. Upon roll call,

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

Separate discussion took place at this time, with respect to the proposed Bill List. Mr. Bassani questioned several items on the bill list, and Mr. Doherty offered a response.

Mr. Bassani expressed his desire to utilize a procurement policy in which, whenever possible, local vendors shall be utilized for the purchasing of goods and services by the Township.

Mr. Bassani moved to approve Payment of Bills for the meeting of April 7, 2011.

Mr. Gaechter seconded the motion. Upon roll call,

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

ENGINEER'S REPORT

Mayor DeBoer invited Harold Pellow to present his Engineer's Update Report.

At Mr. Doherty's request, the Mayor opened the meeting to Mr. Bob Bahr and Mr. Harry Bootsma, both of Mudtown Road, who engaged the governing body and Mr. Pellow in a discussion regarding recurring stormwater drainage concerns along Mudtown Road, and their proposal for placing a drainage ditch running along the side of their property, leading to the street. The residents expressed a desire to work with the municipality to ensure that their actions do not create an unacceptable water situation on the public road.

Mr. Pellow agreed to meet on site with the DPW supervisor, to review the proposed drainage project of these citizens and ascertain if there would be any impact requiring action along the public street.

Mr. Pellow presented his report, beginning with a history of the sewer service areas of Wantage Township, the current situation involving approved sewer service areas, and the need to send a letter to the New Jersey Department of Environmental Protection to clarify and verify the position of the governing body with respect to Wastewater Management Plan and approved sewer service areas.

General discussion took place with Ms. Ann Smulewicz of 108 Route 23, Mr. Thomas Mullica representing Wantage Ridge and Bicsak Brothers LLC, and Mr. Edward Mainardi of Mainland Properties, all of whom expressed concerns and desires relative to sewer service area approval. Companies. Mr. Pellow mentioned the receipt of a letter from the Hampshire companies (A&P Plaza), also expressing an interest in this topic.

Ms. Smulewicz expressed a concern that she was promised to be included in the sewer service areas at a public meeting in 2009 by Mr. Pellow and Mr. Jim Smith of the Land Use Board, and that this was not done at that time. Ms. Smulewicz expressed her hope and desire for inclusion at this time.

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Mr. Pellow stated that neither he nor Mr. Smith recalled the discussion that Ms. Smulewicz expressed. Mr. Pellow confirmed that Ms. Smulewicz' property was included in the maps being presented this evening, and Mayor DeBoer also expressed his assurance that Ms. Smulewicz' property would be included in the Township's request.

Mr. Pellow continued with his report, offering updates on the topics of the Newton Avenue and Newman Road Improvements, the 5-Year Road Improvement Capital Plan, and the Route 23 Bridge Replacement project of the New Jersey Department of Transportation.

Administrator's Report

Mr. Doherty offered a status update on Bob & Joannie's Log cabin liquor license, and the Rachel Manor Property Maintenance Inspection.

Mr. Doherty offered reports on Assembly Bill A-196 involving Court Fees, the NJ League of Municipalities Request For a Bill to Share Cost Burden of Tax Appeals, a Resident Concern involving the Driveway at 154 Holland Road, the status of negotiations involving possible animal control and pound service being provided to Ogdensburg; and the County Freeholders' Suggestion For Amending OPRA (if a record is posted on website, OPRA would be satisfied). The members of the governing body agreed to give further consideration to these matters at the next meeting.

Mr. Doherty reported that the County Health Department responded to the Mayor's request for a Status update on the property maintenance/illegal dumping situation on Route 565 (Tarrats).

Attorney's Report: none

Township Committee Member Reports

Mayor DeBoer reported that the Recreation Commission has successfully obtained a steel section from the World Trade Center. It is the intention of the Recreation Commission to install this, together with an explanatory plaque, as a remembrance of honor for the brave emergency response personnel who gave their lives in the fight against terrorism on 9/11. This monument will be placed next to the Veterans' Memorial at Woodbourne. Mayor DeBoer stated his belief that this will make a fine complement to the Township's display honoring military veterans. Mayor DeBoer reported that any costs associated with this project are being utilized from the balances remaining in the Veterans Memorial Fund, rather than through the use of tax dollars.

OLD BUSINESS:

Solar Panel Project Options

The members of the governing body engaged in general review and consideration of the options for participating in a shared service with the Sussex Wantage School system for a project to place solar panels on the roof of one or more Wantage Township buildings, as compared with the possibility of entering into a shared service arrangement with the County of Sussex for the same venture.

After due review and consideration, the prevailing consensus of opinion was that the County initiative provided a greater opportunity for value, but there was a much smaller likelihood of being successfully chosen for inclusion in the county initiative. Accordingly, the governing body directed Mr. Doherty to keep both options open for pursuit at this time, until more definitive data concerning costs, benefits and participant selection at the county level can be obtained.

Property Maintenance Code

Mr. Bassani initiated a general discussion regarding the subject of the Property Maintenance Code of Wantage Township. Mr. Bassani expressed a desire to concentrate discussion on the merits of the Rental Inspection section of the Property Maintenance Code. Mr. Bassani identified his concerns with this program as including the fact that the program generates only \$6,000 in revenue, at best, annually, whereas in Mr. Bassani's estimation, the cost of providing this program exceeds that figure, which suggests that the program is a burden to the Township. Mr. Bassani also suggested that the 3-year inspection cycle of the Rental inspection program deserved scrutiny for the feasibility of continued usage. Mr. Bassani stated that a major concern of his involved the right to privacy, which appeared to be compromised by the Township's current program.

Mr. Bassani suggested that there were three options he saw for consideration:

- 1) Eliminate Rental Inspections
- 2) Limit said inspections to change of occupancy
- 3) Allow tenants and landlords the right to submit a notarized letter requesting that they be excluded from the 3-year inspection cycle.

General discussion took place regarding Mr. Bassani's input. The said discussion included the members of the governing body, Mr. Bolcato, Construction Official Patrick Stefanelli, and former Construction Official Edward Vander berg.

Mr. Bassani stated that the option of allowing a 3rd party inspection to take place does not address his concern for the right to privacy. Mr. Bassani also suggested there exists a liability exposure issue in the practice of conducting these inspections. Mr. Bassani stated that he had reached out to three landlords, asking for their input, and all three responded with a belief that this program is undesirable and intrusive. Mr. Bassani reiterated his belief that at core in this discussion is the issue of the right to privacy.

It was agreed that the members of the governing body would give further consideration to this issue at the meeting of May 12, 2011.

Budget Review

Mr. Bassani offered a spread sheet analyzing the proposed municipal budget, indicating suggestions for consideration of changes.

General discussion took place regarding these suggestions. Mr. Gaechter suggested that there exists a need to be aware of the impact that further budget cuts will have on the municipal surplus. Mayor DeBoer expressed a desire to ensure that any actions affecting this year's budget take into account the possibility of negative impact on next year's budget.

NEW BUSINESS

Approval of Minutes

Mr. Bassani moved to approve the minutes of the regular and executive session meeting of the Wantage governing body held on March 31, 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.

OPEN PUBLIC SESSION, continued

Thomas Mullica, attorney, reported that it has come to his attention that there may exist an Executive Order from the Governor's office which would restrict the ability of a party from attempting to remove property from a Sewer Service Area. Mr. Mullica stated he would review this possibility in greater detail.

William Gettler, Gemmer Road, offered concerns regarding the extent of damage being done by Black Bears in Wantage, expressed a desire to see a tax reduction in the local property tax burden, expressed opposition to the resolution of the County Freeholders which would amend the OPRA statute, and offered his views regarding the Property Maintenance program of Wantage Township.

Ann Smulewicz, 108 Route 23, expressed her belief that the conditions at the Rachel Manor site involved greater concern than that which was expressed as a result of the property site inspection conducted by Mr. Pellow and Mr. Kervatt; and offered her views regarding the Property Maintenance program of Wantage Township.

Maggie Koliko, August Lane, expressed her pleasure in meeting Committeeman Bassani; expressed concern regarding the tax impact placed upon property taxpayers under the current tax appeal process of New Jersey; offered her views regarding the Property Maintenance program of Wantage Township; and expressed a desire to have traffic control measures placed on Lower Unionville Road similar to the speed humps that are located on Newton Avenue in Sussex Borough.

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. Bassani moved to adjourn the meeting. Mr. Gaechter seconded the motion.

Mr. Pellow requested that the governing body give consideration to one final item, which he overlooked earlier in the meeting during his report.

Mr. Bassani agreed to withdraw his motion for adjournment. Mr. Gaechter agreed to withdraw his second.

Mr. Pellow reported that Bicsak Brothers LLC have complied with all requirements for the renewal of their 2011 Soil Removal License.

Mr. Gaechter moved to authorize renewal of the 2011 Soil Removal License for Bicsak Brothers LLC. Mr. Bassani seconded the motion. Upon Roll call,

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

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

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

Mayor DeBoer declared this meeting adjourned.