

**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 OCTOBER 20, 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, and Committeeman Bassani. The following members were absent: None. Also Present: Township Attorney Michael Garofalo, Chief Finance Officer Michelle La Starza.

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."

Mayor DeBoer led the assembly in the salute to the American Flag.

CONSENT AGENDA

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.

Mr. Gaechter moved to approve for filing, the following Reports:

Construction Department Report for September 2011

Board of Health Report for September 2011

Clerk's Report for September 2011

Tax Collector Report for September 2011

Registrar Report for September 2011

Mr. Bassani seconded the motion. Upon roll call,

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

Mr. Gaechter moved to approve Payment of Bills for the meeting of 10/20/11

Mr. Bassani seconded the motion. Upon roll call,

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

Mr. Gaechter moved to approve Change Order for Contract entitled "Improvements to the Newton Avenue, Newman Road, and County Route 639 Intersection" reducing said contract amount by \$69,304, per recommendation of Township Engineer, in favor or less expensive option available under the Morris County Cooperative Pricing Council Bid vendors.

Mr. Bassani seconded the motion. Upon roll call,

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

Mr. Gaechter moved to approve award to Tilcon New York under the Morris County Co-Op Council, for Bituminous Stabilized Base, Hot Mix Asphalt, and Milling on the project entitled "Improvements to the Newton Avenue, Newman Road, and County Route 639 Intersection", in the amount of \$51,733.30, per recommendation of Township Engineer Harold Pellow.

Mr. Bassani seconded the motion. Upon roll call,

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

Mr. Gaechter moved to authorize refund of tax sale premiums in the amount of \$1,800 to Lien times, Inc. for Block 21 Lot 11.01, and \$4,200 to US Bank for Block 26 Lot 2.16.

Mr. Bassani seconded the motion. Upon roll call,

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

Mr. Gaechter moved to authorize the refund of tax overpayments in the amount of \$1,784.32 to Berend Douma Sr., on Block 40 Lot 10.04, and in the amount of \$588.06 to Richard & Linda Nugnes on Block 53.05 Lot 3. Mr. Bassani seconded the motion. Upon roll call,

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

Mr. Gaechter moved to authorize the refund of Escrow Deposit on L-8-2010 in the amount of \$500 to Steven & Jennifer Kosinski. Mr. Bassani seconded the motion. Upon roll call,

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

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CONSENT AGENDA, Continued

Mr. Gaechter moved to authorize renewal of 5-year contract with Minisink Hose company #1 aka Unionville Fire Department, to provide First Responder fire service to the northerly sector of Wantage Township. Mr. Bassani seconded the motion. Upon roll call,
Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

MAYOR'S PROCLAMATION:

Mayor DeBoer offered the following Proclamation:

WHEREAS, Luke W. Loughery 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, Luke has held numerous Leadership positions in the troop, and

WHEREAS, Luke has distinguished himself through on-going service to his community, including his Eagle Scout Project for which he coordinated the construction of a new Welcome Sign for Woodbourne Veterans Memorial Park, and

WHEREAS, Luke has actively participated in leadership positions for his Troop activities and has provided mentoring for many younger Boy Scouts, and

WHEREAS, such a fine record of accomplishment is worthy of praise and recognition,

NOW, THEREFORE, I, William DeBoer, Mayor of the Township of Wantage, hereby offer my congratulations to Luke W. Loughery for achieving the rank of Eagle Scout, and

BETTER FURTHER PROCLAIMED that the entire Wantage Community is hereby encouraged to join in the recognition of this fine accomplishment.

ADMINISTRATOR REPORT

Construction Department Fees: General discussion continued regarding suggested adjustments to the current fee schedule for the Construction Department. General review and consideration of this suggestion took place. No action was taken at this time.

HOPE EVANGELICAL CHURCH REQUEST: ROLLBACK TAXES

Representatives of Hope Evangelical Church requested consideration of either forgiveness from having to pay a \$9,143.19, or else in the alternative an extended payment installment plan associated with Rollback taxes assessed on their property.

After general review and consideration, Mr. Bassani moved to authorize a 5 year payment plan for Hope Evangelical Church to pay its Rollback Tax obligation to Wantage Township, with interest payments waived, and with a starting date of April, 2012 if such start date is permitted under law, otherwise payment plan to commence in accordance with requirements of law.

Mr. Gaechter seconded the motion. Upon roll call,

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

NORTH JERSEY MUNICIPAL EMPLOYEE BENEFITS FUND RENEWAL

Health Benefits Risk Management Consultant Frank Covelli of PIA, addressed the governing body to explain details of continued participation in the North Jersey Municipal Employee Benefits Fund. General review and discussion took place. No action was taken. The governing body agreed to revisit this issue at the meeting scheduled for October 27, 2011.

ALARM SERVICES AND HVAC MONITORING SERVICES:

The members of the governing body reviewed the proposed course of action for soliciting quotations on these services, and then expressed consensus for Mr. Doherty to proceed.

ADMINISTRATOR REPORT, Continued

ASSESSOR OFFICE STAFFING

The members of the governing body reviewed the input of the Administrator on this topic, then agreed to revisit the issue at the meeting of October 27, 2011.

SHARED SERVICE NEGOTIATIONS

Mr. Doherty requested an executive session to review status of possible shared service ventures and negotiations with employees for providing said shared services of the Chief Finance Officer and Recycling Coordinator.

AWARD OF BID: NEWTON AVENUE, PHASE II

Mr. Doherty requested the governing body take action to award the contract for Newton Avenue, Phase II, to Bob Viersma & Sons in the amount of \$294,434.25 per recommendation of Engineer Harold Pellow, to preserve NJDOT State Grant funding for this project, once Ordinance 2011-11 has been adopted.

NEGOTIATIONS WITH EMPLOYEE UNIONS

Mr. Doherty inquired if the members of the governing body desired to review the status of negotiations this evening or next week. The members of the governing body expressed a preference for this topic to be discussed next week.

SPECIAL EMERGENCY AUTHORIZATION

Mr. Doherty explained that CFO Michelle La Starza has prepared a 5 Year Special Emergency Resolution to cover the costs of in-house repair work done after Irene and Lee; the cost to repair Old Clove Road; and the cost of the mitigation project for Layton Road. Mr. Doherty explained that in general summary, all local response and recovery projects were undertaken and completed using Township work force and resources, with the exception of the Layton Road project and the Old Clove Road project. The majority of work involved projects of small scope and expense, but there were numerous such projects undertaken, so they added up on the bottom line beyond the point of money that was budgeted. As such, the Township will need to adopt a Special 5-year Emergency Authorization to cover those unanticipated extra costs. These projects did not require action or decision by the governing body. The damage was done, the damage was repaired, and now the Township needs to "make whole" its budget by adopting this resolution. The Township will seek partial reimbursement of costs through FEMA. The Old Clove Road project exceeds the bid threshold in cost, and the scope of work exceeds local manpower and equipment capabilities, so Mr. Pellow is preparing a bid solicitation for this project. These costs are included in the Special 5 Year Emergency Appropriation, to cover the costs of the project, and the Township should be in a position to award a contract for this project on November 10. Then, depending on weather conditions, this project may get underway and/or completed this year with the likelihood of some paving needing to be done in the spring of 2012. If weather does not cooperate, the entire project for Old Clove Road may need to wait until the Spring. The cost of the Layton Road project originally was estimated above the bid threshold, but Mr. Pellow has worked the cost parameters down to \$34,000, so the Township can proceed by obtaining competitive quotations instead of a formal competitive bid process. The Township may be in a position to award a contract to have this work done on October 27, but again, the governing body will need to adopt the Special emergency resolution. With luck, the Township should be able to get this project done this year, again depending on weather cooperation. The Township will seek partial reimbursement of costs from FEMA.

The members of the governing body expressed consensus to review this matter and take action in its regard at the meeting to be held on October 27, 2011.

ATTORNEY REPORT

Mr. Garofalo reviewed the details of a report offered to the governing body regarding prudent use of E-mail communication as it relates to municipal business.

Township Committee Member Reports:

Mayor DeBoer expressed a desire for the Township to address the accumulation of solid waste and refuse in the area of Double S Diner, before it becomes a public health concern.

NEW BUSINESS

Final Adoption of Ordinance 2011-09: Fire Department Membership

Mr. Bassani moved to adopt on final reading, Ordinance 2011-09 entitled "AN ORDINANCE AMENDING IN PART SECTION 2-8 OF CHAPTER II OF THE GENERAL ORDINANCES OF WANTAGE TOWNSHIP ENTITLED "FIRE DEPARTMENT".

Mr. Gaechter seconded the motion. Prior to final roll call, 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 speak at this time, Mayor DeBoer closed the meeting to the public and requested a roll call vote. Upon roll call,

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

Final Adoption of Ordinance 2011-10: Bond Ordinance for Purchase of Fire Vehicle

Mr. Gaechter moved to adopt on final reading, Ordinance 2011-10 entitled "BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A FIRE ENGINE AND ASSOCIATED FIRE EQUIPMENT IN AND BY THE TOWNSHIP OF WANTAGE, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$570,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF", with a final hearing date scheduled for October 20, 2011. Mr. Bassani seconded the motion.

Prior to final roll call, Mayor DeBoer opened the meeting to the public for any questions or comments with respect to the proposed ordinance.

Mr. William Gettler, Gemmer Road, asked for a clarification of cost burden associated with the purchase of the fire vehicle when added to the cost burden of dealing with the recent severe storm/hurricane events. The members of the governing body and Chief Finance Officer Michelle La Starza responded to this inquiry.

Ms. Kathy Gorman inquired regarding an explanation of the term "custom" built fire apparatus. Wantage Fire Department representative Jon Morris responded, explaining the differences between a custom built apparatus and a commercial built apparatus.

There being no one else present wishing to address the governing body, Mayor DeBoer closed the meeting to the public and requested a roll call vote on the motion.

Upon roll call,

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

Final Adoption of Ordinance 2011-11: Newton Avenue Improvement

Mr. Gaechter moved to introduce on first reading, Ordinance 2011-11 entitled "ORDINANCE APPROPRIATING THE SUM OF \$65,100.00 FOR THE IMPROVEMENT OF NEWTON AVENUE", with a final hearing date scheduled for October 20, 2011.

Mr. Bassani seconded the motion. Prior to final roll call, 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 speak at this time, Mayor DeBoer closed the meeting to the public and requested a roll call vote.

Upon roll call,

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

Award of Contract: Newton Avenue Project

Mr. Bassani moved to award the contract for Newton Avenue, Phase II, to Bob Viersma & Sons in the amount of \$294,434.25 per recommendation of Engineer Harold Pellow. Mr. Gaechter seconded the motion. Upon roll call,

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

Approval of Minutes

Mr. Bassani moved to approve the minutes of the Regular and Executive session meeting of the Wantage governing body held on September 29, 2011.

Mr. Gaechter seconded the motion. Upon roll call,

Ayes: Gaechter, DeBoer, Bassani 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, expressed a belief that the governing body failed to take action to authorize a retirement agreement with Kevin Kervatt; and questioned the workload of Mr. Kervatt.

General discussion took place among the governing body, Mr. Garofalo, and Mr. Gettler regarding the requirements of official minutes. Mr. Garofalo took the position that the minutes as written are appropriate under the law and that the retirement agreement with Mr. Kervatt is valid.

Mr. Gettler offered comments in rebuttal to a Letter to the Editor that was written in the New Jersey Herald by another citizen.

There being no one else wishing to address the governing body at this time, Mayor DeBoer closed the meeting to the public.

EXECUTIVE SESSION

Mr. Gaechter 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 the following matter(s):

Matters falling within the attorney-client privilege: Negotiations with the Borough of Sussex and Township employee regarding potential shared service ventures; negotiations with employee regarding shared services venture with Branchville for Recycling Coordinator.

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

After meeting in closed executive session, Mr. Bassani moved to return to open session and continue with the regular course of action. Mr. Gaechter seconded the motion. Upon roll call, Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

The members of the governing body expressed consensus for Mr. Doherty to proceed with negotiations associated with the potential shared service venture with Sussex Borough in accordance with the direction discussed in executive session.

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

Mayor DeBoer declared this meeting adjourned.