

**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 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, and Committeeman Bassani. The following members were absent: None. Also Present: 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."

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

Mayor DeBoer informed there was no Consent Agenda for this meeting.

**ADMINISTRATOR REPORT**

**E-mail Use:** Mr. Doherty reported that Committeeman Bassani had requested discussion on this topic at this meeting. The members of the governing body determined that the subject to be discussed required legal advice from Mr. Garofalo regarding an interpretation of a recent court decision involving this topic, so the members of the governing body agreed to discuss this matter in closed executive session later in the meeting.

**Executive Session Minutes:** Mr. Doherty reported that he has received input regarding desired changes to the draft executive session minutes of October 20, 2011, and invited the members of the governing body to discuss the original draft, identified as Draft #1, compared to the suggested amended Draft, identified as Draft #2, before voting to adopt the said executive session minutes. Mr. Doherty indicated his belief that such discussion could rightfully take place in closed executive session if needed, as the details of the October 20 executive session are not yet a public record. Mr. Doherty also requested clarification regarding the desired procedure of the governing body for the clerk to respond to requests such as this when received in between meeting dates. The members of the governing body expressed a desire to receive legal advice from their attorney in order to know the allowable options for handling such a situation. As such, the members of the governing body agreed to discuss this matter in closed executive session later in the meeting.

**Flagstone Hill Road Improvements:** Mr. Doherty reported that the Township Engineer has sent a letter detailing various improvements needed to be done on Flagstone Hill Road prior to the Township accepting said road as a public street. Mr. Doherty reported that Mr. Garofalo has offered to reach out to the attorneys representing the developer of this project in an attempt to convince the developer to move forward with the said improvements so that no action will be needed to call the bond.

**Clove Hill Manor Improvements:** Mr. Doherty reported that the Township Engineer has reported no progress in having the necessary final improvements done to the roads, sidewalks and landscaping in the Clove Hill Manor project. General discussion took place regarding options available to the Township to hold the developer accountable for finishing the improvements. Options included contacting the County Prosecutor, pursuing legal action, or allowing the homeowners association of Clove Hill Manor to pursue said legal action; and further dialogue with the principals involved in an attempt to resolve the situation. Mayor DeBoer stated he would reach out to John Maione and attempt to obtain some action. Mr. Garofalo agreed to review and pursue legal options available for addressing this matter.

**Recreation Fee Request:** Mr. Doherty reported that the Recreation Commission request the governing body amend the Fee Schedule to implement a new fee that will be charged to "For Profit" vendors who desire to have Wantage Recreation Sponsor their programs. To date, Recreation has provided this as a courtesy on behalf of benefiting the general public (e.g., Aerobics classes, soccer clinics) to enhance Recreation programs available in the community, but the Commission members now believe that for-profit entities desiring the endorsement of the Recreation Commission - to have these programs identified as a Wantage Recreation Sponsored Event, - ought rightfully share with Wantage some of the profit they are receiving for running these programs as a means by which Wantage may generate revenue in support of its own programs such as Wantage Day. Mr. Doherty presented the governing body with a proposed ordinance that would accomplish this fee schedule amendment, if the governing body were inclined to adopt it.

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**Mr. Gaechter** moved to introduce on first reading, Ordinance 2011-14, entitled "AN ORDINANCE AMENDING CHAPTER XXI, FEES, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WANTAGE", with a final adoption date proposed for November 10, 2011. Mr. Bassani seconded the motion. Upon roll call,  
Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

**Wantage Day 2012:** Mr. Doherty reported that the Recreation Commission endorses holding Wantage Day 2012 during the month of June, so that no conflict with scheduling of sports events by the Township's sports organizations will occur. There is also less likelihood of inclement weather at this time of year.

**Tree Lighting Ceremony:** Mr. Doherty reported that the Recreation Commission announces the Holiday Tree Lighting Ceremony will be held on December 2, 2011 at 7 p.m. at the Wantage School.

**Membership Renewal in NJMEBF:** The members of the governing body held discussions with Frank Covelli, Wantage Township Risk Management Consultant for Health Benefits, regarding the pros and cons of renewing membership in the North Jersey Municipal Employees Benefit Fund.

After due discussion and consideration, **Mr. Bassani** moved to approve renewal membership in the North Jersey Municipal Employees Benefit Fund, and authorizing the Mayor and Clerk to sign the Indemnity and Trust Agreement between Wantage Township and NJMEBF. Mr. Gaechter seconded the motion. Upon roll call,  
Ayes: Bassani, Gaechter, DeBoer Nays: None Absent: None Abstain: None

**ATTORNEY REPORT:** None

**COMMITTEE REPORTS:** None

**OLD BUSINESS**

**Assessor/Collector Staffing:** Mr. Doherty invited the members of the governing body to provide him direction with respect to his recommendations for action on this topic. Since the said decisions to be made required clarifying the outcome of negotiations that Mr. Doherty held with individual employees over the course of the last several weeks, the members of the governing body expressed a desire to discuss this matter in closed executive session to ensure their understanding of the negotiations offered and proposed before making a decision on this matter.

**Negotiations With Employee Unions:** The members of the governing body expressed a desire to discuss this matter in closed executive session, under the exclusion allowed for negotiations.

**Shared Services Negotiations:** Mr. Doherty asked for direction whether to proceed with a shared service venture with Sussex Borough for Chief Finance Officer, and for the compensation involved to the existing Wantage CFO if such shared service proceeds. The members of the governing body expressed a desire to discuss this matter in closed executive session under the exclusion allowed for negotiations.

**Special Emergency Authorization:** Hurricane/Flooding Costs.

**Mr. Bassani** moved to adopt the following resolution:

**A RESOLUTION AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION to cover the cost of extraordinary expense for the repair, reconstruction of streets, roads and other public property damaged by flood or hurricane where such expense was not foreseen at the time of the adoption of the budget.**

**WHEREAS**, N.J.S.A. 40A:4-54 permits a local unit to adopt a resolution authorizing special emergency appropriations to cover the cost of extraordinary expense for the repair, reconstruction of streets, roads or bridges, or other public property damaged by flood or hurricane where such expense was not foreseen at the time of the adoption of the budget, and

**WHEREAS**, As a result of the damages caused by Hurricane Irene and subsequent flood-related storms, the Township of Wantage has incurred \$180,000 in cost obligation for the repair and reconstruction of streets, roads and other public property, **NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Wantage, County of Sussex, State of New Jersey, that pursuant to N.J.S.A. 40A:4-54, the sum of \$180,000.00 is hereby appropriated for the repair and reconstruction of streets, roads and other public property, resulting from Hurricane Irene and subsequent flood-related storm damage, and

**BE IT FURTHER RESOLVED**, that the said appropriation and "special emergency notes" authorized to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least one fifth (1/5) of the amount authorized pursuant to this act.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

Mr. Gaechter seconded the motion. Upon roll call,

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

**NEW BUSINESS**

**Approval of Minutes:** Mr. Bassani moved to approve the minutes of the Regular session meeting of the Wantage governing body held on October 20, 2011.

Mr. Gaechter seconded the motion. Upon roll call,

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

**Approval of Bingo License:** Mr. Bassani moved to approve Bingo License BL 11-26 to BPOE #2288 Sussex Lodge, to conduct bingo games on various dates in November and December of 2011, and January of 2012. Mr. Gaechter seconded the motion. Upon roll call,

Ayes: Bassani, Gaechter, 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, offered input regarding equalization values, Clove Hill Manor, and executive session topics.

Rocco Russo, South Shore Drive, engaged Mr. Doherty, Mayor DeBoer and Mr. Garofalo in a discussion regarding cost burden and distribution of costs associated with the repair and maintenance of the Lake Neepaulin Dam. Mr. Doherty reiterated the comments from Mayor DeBoer and Mr. Garofalo that the decision regarding which costs are allowable under the special assessment program is to be made by the Tax Assessor. Mr. Russo expressed an opinion that the members of Friends of Lake Neepaulin should pay for those costs.

**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 matters:

Matters falling within the attorney-client privilege: Negotiations with the Borough of Sussex and Township employee regarding potential shared service ventures; negotiations with employee unions for collective bargaining agreements; negotiations with employees regarding office staffing within the Tax Offices: attorney-client privilege to obtain legal advice regarding use of Email in relation with the Open Public Meetings Act; discussion of details regarding content of previous executive session minutes prior to approval.

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

Mr. Gaechter moved to approve the staffing plan presented by Mr. Doherty for the municipal office staff as a means by which to fill the staffing of the Assessor and Collector departments.

Mr. Bassani seconded the motion. Upon roll call,

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

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Mr. Doherty offered the following details regarding the staffing plan approved:

- ≡ Support Kristy Lockburner as the intended appointee for Tax Assessor of Wantage, pending her successfully passing final examination and achieving certification as a NJ Tax Assessor.
- ≡ Maintain salary for Kristy Lockburner at \$32,000/year pro-rated for remainder of 2011, increasing salary to \$38,000 as of January 2012
- ≡ When Kristy Lockburner passes exam and attains certification, raise salary to \$42,500 per year.
- ≡ Continue to utilize part time temporary employee Tom Dekorte for his Assessor certification at current rate of compensation.
- ≡ Provide a \$1,500 salary increase to Melissa Caton effective January 2012, to serve as Office Manager for the Tax Collection and Assessor departments, and in compensation for additional workload imposed through reduced staffing
- ≡ Increase hours of part time employee Colleen Ragnetti from 20 hours/week to 32 hours per week, at current hourly compensation rate.
- ≡ Increase hours of Finance Employee Arlene De La Osa from 24 hours per week to 32 hours per week, at current hourly compensation rate.
- ≡ Increase hours of Health/Recreation Secretary Jeanne McBride from 26 hours per week to 34 hours per week (Jeanne's average weekly hours include 2 night meetings per month)
- ≡ Utilize Arlene and Jeanne's extra hours in Finance/Administration to free up availability of Administration employee Nancy Van Horn for partial re-assignment as follows: 24 hours per week in Finance/Administration for payroll, accounts receivable/payable, and attendance record keeping; utilize Nancy 16 hours per week in Tax/Finance office
- ≡ Maintain \$500 in Tax Assessor Operating Expense budget for heavy workload periods when part time temporary help will be needed to meet workload.
- ≡ Request Sussex Borough provide an additional "not to exceed" dollar figure of \$15,000 for Kristy Lockburner and her staff to handle the Sussex Borough Revaluation program in 2012. Reimbursement will be billed at cost for any and all services rendered in connection with Revaluation duties.

Mr. Doherty also indicated that negotiations strategy was discussed regarding the shared service arrangements for Assessor services in 2012 with Sussex Borough, but since that topic is an active negotiation, no details will be disclosed at this time.

Mr. Gaechter moved to authorize Mr. Doherty to present an offer to Sussex Borough for a shared service venture involving the Chief Finance Officer's services, under the terms of compensation discussed in closed session this evening. Mr. Bassani seconded the motion. Upon roll call,

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

Mr. Doherty reported that the topic of employee collective bargaining negotiations was discussed in executive session, and it appeared likely that this topic would be given further consideration in executive session at the November 10, 2011 meeting.

Mr. Bassani moved to approve the Executive Session minutes for the meeting of the Mayor and Committee of Wantage Township held on October 27, 2011, identified as "Draft #2". Mr. Gaechter seconded the motion. Upon roll call,

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

**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.

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James R. Doherty, Municipal Clerk