

**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 MARCH 8, 2012**

Mayor Gaechter 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 Gaechter, Committeeman DeBoer, and Committeeman Bassani. The following members were absent: None. Also Present: Township Attorney Michael Garofalo.

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

CONSENT AGENDA

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

Mr. Bassani requested the resolutions dealing with Soil Removal License Renewal be removed from the consent agenda to be given separate consideration.

Mayor Gaechter requested action on the Consent Agenda, amended per M r. Bassani's request.

Mr. Bassani moved to approve for filing, the following reports:

- Construction Report for February 2012
- Tax Collector Report for February 2012
- Registrar's Report for February 2012
- Clerk's Report for February 2012
- Board of Health Report for February 2012

Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to approve Raffle Application RA12-10 to Rotary Club of Wallkill Valley for an off premise 50/50 raffle on December 13, 2012

Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to approve refund of \$1,542.08 to Peter & Denise Makowski, for a tax overpayment on Block 129 Lot 3.05. Mr. DeBoer seconded the motion. Upon roll call,

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

Mr. Bassani moved to approve the "Reach The Beach Relay Race" use of local roads for event on October 12, 2012, subject to receiving all necessary state and county permits for use of their roads. Mr. DeBoer seconded the motion. Upon roll call,

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

General discussion took place at this time regarding the details of Township Engineer Harold Pellow's reports concerning the compliance report of 284 Aggregates and Bicsak Brothers for local soil removal license renewal, and the means by which on-going compliance inspections of these sites will be maintained. Mr. Doherty assured the governing body that Mr. Pellow is extremely attentive to this issue.

After due discussion and consideration, Mr. Bassani moved to approve the renewal of 2012 Soil Removal License for 284 Aggregates, LLC, subject to conditions imposed by Township Engineer Harold Pellow in his letter dated March 5, 2012.

Mr. DeBoer seconded the motion. Upon roll call,

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

Approving renewal of 2012 Soil Removal License for Bicsak Brothers, LLC, subject to conditions imposed by Township Engineer Harold Pellow in his letter dated February 16, 2012. Mr. DeBoer seconded the motion. Upon roll call,

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

ADMINISTRATOR REPORT

Offer of gifting of Land: Mr. Doherty explained the details of a proposal for gifting an undersized tract of land in Lake Neepaulin Block 68, Lot 42, to Wantage Township. After review and consideration, Mr. Bassani moved to authorize the Township Attorney to take the next step in the process for accepting this offer. Mr. DeBoer seconded the motion. Upon roll call,  
Ayes: Bassani, DeBoer, Gaechter Nays: None Absent: None Abstain: None

Mr. Doherty also offered a courtesy reminder of the need to, at some point, address the Ryan Road Drainage concern raised by Mr. Craig several meetings ago.

Mr. Doherty presented an application for membership in the Wantage Fire Department for consideration of the governing body.

Mr. DeBoer moved to accept the membership application of Anthony Demarco of Wantage, NJ in the Beemerville Company #2 Fire Department. Mr. Bassani seconded the motion. Upon roll call,  
Ayes: Bassani, DeBoer, Gaechter Nays: None Absent: None Abstain: None

ATTORNEY REPORT: None.

COMMITTEE REPORTS:

Mr. DeBoer stated a desire to reconsider the award of contract to ABCode for Alarm Monitoring Services at the Town Hall and Dog Pound. Mr. DeBoer made a motion to reconsider this award of contract. After due discussion and consideration, no second was offered to the motion.

Mr. Bassani inquired if a meeting with the employees has been scheduled regarding negotiations. Mr. Doherty explained that such a meeting was ready to be scheduled once he had the final, finishing touches on the governing body's position for an offer to the employees. The members of the governing body agreed to enter into a brief executive session this evening to discuss negotiations.

Mr. Bassani asked for an update on the bills which would amend the Open Public Records Act and the Open Public Meetings Act, currently being given consideration by the State Legislature. Mr. Doherty offered a brief update in response.

Mr. Bassani requested Mr. Doherty to remind the Colesville Fire Department that the governing body was still awaiting their submission of the annual budget operations statement for their fire company.

OLD BUSINESS: None

Status of Negotiations with Employees Collective Bargaining Units: Per previous discussion, the members of the governing body agreed to enter into closed executive session later in this evening to discuss matters of negotiations.

Tax Collection Rate for 2012 Municipal Budget: The governing body reviewed consideration of a suggestion from the Auditor regarding the calculation to be used for the 2011 tax collection rate for the 2012 municipal budget. After general consideration, the members of the governing body expressed consensus with the recommendation of the Chief Finance Officer to maintain the calculation as presented during the budget work sessions of the governing body.

Request For Presentation - Laser I: Mr. Edward Mainardi addressed the governing body on the topic of the New Jersey Amusement Games Licensing Law and the impact on his business because said law is not currently authorized within Wantage Township. Mr. Mainardi requested the governing body place a question on the November Ballot which would enable local licensing under the New Jersey Amusement Games Licensing Law. General consideration of the details of such a question took place, as well as the history and outcome of the same question having been posed and defeated in 2007. After due consideration, the members of the governing body expressed openness to further consider this request, and encouraged Mr. Mainardi to present Mr. Doherty with further details and responses to issues and questions raised this evening, for the further review of the governing body.

**NEW BUSINESS**

**Presentation on Homestead**

Ms. Debbi Williams-Sickel addressed the governing body on the topic of "Save The Homestead", representing a group of people within Sussex County who wish to convince the Freeholder Board to reconsider their decision to sell the Homestead Care Facility.

General discussion took place regarding the group's suggestion that the Freeholders place this question on the ballot for approval of the voters prior to implementation. Mr. Garofalo suggested that the group review statutes, if they have not already done so, to ascertain whether or not what they propose can actually be made the subject of a binding referendum question.

Mayor Gaechter thanked Ms. Williams-Sickel for her presentation, and stated his belief that while the Wantage governing body appreciates her passion and respects her desires, this appears to be a county-wide issue, and that elected officials exist at the county level of government who have been entrusted by the voters to deal with this issue. Mayor Gaechter stated his belief that it would not be appropriate for the Wantage governing body to involve itself in this county-level issue.

Mr. DeBoer expressed an interest in exploring this issue further on an individual basis, as he is interested in knowing further details as a citizen.

**Quotation Results for 2012 Field Maintenance Program**

Mr. Bassani moved to award the contract to Farmside Landscape & Design in the amount of \$12,090.00 as the lowest responsive, responsible quotation received.

Mr. DeBoer seconded the motion. Upon roll call,

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

**Bid Results: Drainage Improvements on Old Clove Road:**

Mr. Doherty presented the results of the bid solicitation for Drainage Improvements on Old Clove Road, stating for the record that the CFO has provided a certification of available funds to award this contract. Mr. Bassani expressed an interest in the level of variation on several individual line items within the bid specification results, and agreed to discuss same with Township Engineer Harold Pellow.

Mr. Bassani moved to award the bid for this project to Savage Equipment Co., Inc., of Hewitt, NJ in the amount of \$58,417.44. Mr. DeBoer seconded the motion. Upon roll call,

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

**Place To Place Transfer of Liquor License**

Mr. DeBoer moved to approve the place to place transfer of liquor license 1924-33-008, for Wantage Liquor Outlet, as follows:

WHEREAS, on January 23, 2012, an application was filed for a Place to Place transfer of Plenary Retail Consumption License #1924-33-008-007, issued to Jersey Innovative Investments LLC, for an active license in the Township Of Wantage, New Jersey; and

WHEREAS, said application seeks approval to transfer the said license from premises identified as 205 State Highway 23 North, Store 8, to new premises identified as 205 State Highway 23 North, Store 7, and

WHEREAS, proof of publication of the said pending application for transfer has been submitted, and no objection from the public has been filed against this proposed transfer; and

WHEREAS, the submitted application form is complete in all respects, and the transfer fees have been paid; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent ordinances and conditions consistent with Title 33;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee of the Township Of Wantage in Sussex County, New Jersey, does hereby approve, effective March 9, 2012, the place to place transfer of the aforesaid Plenary Retail Consumption License.

Mr. Bassani seconded the motion. Upon roll call,

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

**PAGE FOUR OF THE MINUTES OF MARCH 8, 2012**

**NEW BUSINESS, Continued**

**Person To Person Transfer of Liquor License**

**Mr. DeBoer** moved to approve the person-to-person transfer of liquor license 1924-33-003, from Charles Foreman Trustee in Bankruptcy for Tara Inn LLC, to Areteo LLC., as follows:

WHEREAS, on June 21, 2011, an application was filed for a person to person transfer of Plenary Retail Consumption License #1924-33-003-006, heretofore issued to Charles Foreman Trustee In Bankruptcy For Tara Inn, LLC, for an Inactive "pocket" license in the Township Of Wantage, New Jersey; and

WHEREAS, the Alcoholic Beverage Retail Licensee Clearance Certificate allowing for the Transfer of this license was issued by the New Jersey Division of Taxation on October 26, 2011, and

WHEREAS, the Township received a Special Ruling To Permit Renewal of this said Inactive License from the Director of the Division of Alcoholic Beverage Control pursuant to NJSA 33:1-12.39 on October 27, 2011, and said license was renewed for this current licensing term by the Township of Wantage on November 11, 2011, and

WHEREAS, the criminal background check conducted by the New Jersey State Police has been concluded, and

WHEREAS, proof of publication of the said pending application for transfer has been submitted, and no objection from the public has been filed against this proposed transfer; and

WHEREAS, the submitted application form is complete in all respects, and the transfer fees have been paid; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee of the Township Of Wantage in Sussex County, New Jersey, does hereby approve, effective March 9, 2012, the transfer of the aforesaid Plenary Retail Consumption License to Areteo, LLC, trading as The Stuffed Olive, and does hereby direct the Township Administrator Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Areteo, LLC, trading as The Stuffed Olive, effective March 9, 2012."

**Mr. Bassani** seconded the motion. Upon roll call,

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

**Approval of Minutes**

**Mr. Bassani** moved to approve the Regular and Executive Session Minutes of the meeting held on February 9, 2012. **Mr. DeBoer** seconded the motion. Upon roll call,

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

**OPEN PUBLIC SESSION**

**Mayor Gaechter** opened the meeting to the public at this time, for any questions or comments involving the good and welfare of the community.

**Mr. Donald Bassani** expressed concern with the ability of the public to hear the governing body during the meeting's discussions.

The members of the governing body apologized for this, and agreed to further investigate expressed concerns with the public address system. The Mayor encouraged the public to make known immediately if such a problem is occurring in the future, as the governing body is not in a position of being able to hear what the public can or cannot hear while sitting on the dais.

**Mr. William Gettler**, Gemmer Road, expressed concerns and offered data regarding tax burden, school student population, and his continued opposition to the Compliance Plan; and offered comments and observations regarding a court case involving animal and zoning concerns on a Wantage property, which was recently heard in Vernon Municipal Court.

**Mrs. Kathy Gorman** spoke in favor of the Compliance Plan, offering examples of property valuations within Lake Neepaulin.

**PAGE FIVE OF THE MINUTES OF MARCH 8, 2012**

Mr. Rocco Russo asked the Mayor to confirm a statement made during the Laser 1 presentation, regarding the Mayor's support for obtaining public input on decisions to be made by the governing body. Mayor Gaechter clarified that he always supports the principle of public input, and when such input is required by law in the form of a referendum as a condition of local approval, he supported the right of the public to offer input in that manner.

Mr. Gettler offered rebuttal statements to the comments offered by Mrs. Gorman.

Mr. Bassani thanked Mr. Gettler for his continuing input on the issue of the compliance plan, but pointed out that the issue is not one involving local jurisdiction.

Mr. Warren Wisse requested a status update on the request by the Sussex Wantage Porpoises Parents Association for the governing body to forgive some or all of the back taxes owed on the Lake Neepaulin Swimming Pool site, and their application for tax exemption. Mayor Gaechter suggested this question be discussed with the Tax Assessor.

Mrs. Kathy Gorman inquired who Ms. Patricia Wright is, being an individual named by Mr. Gettler in his previous statements.

Mr. Gettler identified Ms. Wright's title and position with the New Jersey Division of Taxation.

Mr. Roy Wheat, Hampton Township, identified himself as the Co-Chair of the Save The Homestead group, and offered further input and details regarding that group's position.

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

**EXECUTIVE SESSION**

Mr. Bassani 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:

Negotiations with Employee collective bargaining units.

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. DeBoer seconded the motion. Upon roll call,

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

After meeting in closed executive session, Mayor Gaechter declared the meeting reconvened in open session and the governing body returned to the regular agenda.

**ADJOURNMENT**

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

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

Mayor Gaechter declared this meeting adjourned.

---

James R. Doherty, Municipal Clerk