

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 28, 2013

Mayor Ron Bassani 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 Bassani, Committeeman DeBoer, and Committeeman Gaechter. The following members were absent: None.

Mayor Bassani 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 Bassani invited all persons present to participate in the Pledge of Allegiance to the United States Flag.

CONSENT AGENDA

Mayor Bassani requested that the governing body Review the Consent Agenda.

Mr. Gaechter moved to approve the following Raffle Applications:

- RA13-05 for Heritage & Agriculture Association Inc.to hold On Premise 50/50 Raffles on various dates during the months of May, June and November 2013
- RA13-06 for Beemerville Presbyterian Church to hold Off Premise Merchandise raffle on November 4, 2013
- RA13-07 for Beemerville Presbyterian Church to hold On Premise Merchandise raffle on October 4, 2013
- RA13-08 for Beemerville Presbyterian Church to hold On Premise 50/50 Raffle on October 4, 2013

Mr. DeBoer seconded the motion. Upon Roll call,

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

Mr. Gaechter moved to authorize Payment of Bills for the Meeting of March 28, 2013

Mr. DeBoer seconded the motion. Upon Roll call,

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

Mr. Gaechter moved to authorize the payment of \$58.90 to EREH, LLC for refund of Escrow L-11-03 for Block 130 Lot 8.11 and 8.12. Mr. DeBoer seconded the motion. Upon Roll call,

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

Mr. Gaechter moved to authorize the payment of \$1,258.87 to Brian Clouse for release of Escrow L-07-28 for Block 7 Lot 15.01. Mr. DeBoer seconded the motion. Upon Roll call,

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

Mr. Gaechter moved to authorize the payment of \$600.00 to US Bank for Lien Redemption Premium on Certificate #12-05 on Block 14 Lot 17.

Mr. DeBoer seconded the motion. Upon Roll call,

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

Mr. Gaechter moved to authorize the payment of \$7,636.48 to US Bank for Outside Lien Redemption Reserve on Certificate #12-05 on Block 14 Lot 17

Mr. DeBoer seconded the motion. Upon Roll call,

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

Mr. Gaechter moved to authorize the payment of \$41,344.29 to Lien Times LLC for Outside Lien Redemption on Certificate #10-37 on Block 136 Lot 4.05

Mr. DeBoer seconded the motion. Upon Roll call,

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

MAYOR'S PROCLAMATION

Mayor Bassani offered the following Proclamation:

WHEREAS, Daniel Bell 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 84, Daniel has held numerous Leadership positions, and
WHEREAS, Daniel has distinguished himself through on-going service to his community, and
WHEREAS, Daniel has actively participated in 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, Ronald Bassani, Mayor of the Township of Wantage, hereby offer my congratulations to Daniel Bell for achieving the rank of Eagle Scout, and
BE IT FURTHER PROCLAIMED that the entire Wantage Community is hereby encouraged to join in the recognition of this fine accomplishment.

Administrator's Report

Mr. Doherty reported that the annual Youth in Government Program would be held on May 9 with the 8th Grade Class of Sussex-Wantage School system.

Mr. Doherty presented the governing body with a draft for a proposed 2013 Land Sale Ordinance, and suggested the ordinance be given consideration for introduction in July.

Attorney Report

Mr. Garofalo offered an update report on Tax Appeals for 2013, mentioning that to date, the number of appeals filed is much less than prior years' totals. Mr. Garofalo also mentioned that the threshold for eligibility in farmland assessment is being adjusted by the State of New Jersey from \$500 to \$1,000.

Mr. Gaechter inquired regarding the manner in which properties who are successful in pursuing a tax appeal this year would be handled during the Reassessment program. Mr. Garofalo responded that these properties would be included in the Reassessment process, but the tax appeal results would provide the foundation for the data which would be used for the Reassessment. Mayor Bassani also stated that he had spoken about this with the Tax Assessor, and was informed of the same information.

General discussion took place regarding the Reassessment program, and potential reasons why less tax appeals were filed for this year.

Township Committee Member Reports

Mayor Bassani announced that the winner of the 2013 Louis Bay 2nd Annual Future Leaders Scholarship Contest for Wantage Township is Kimberly Amels of Central School Road. Mayor Bassani offered his congratulations to Ms. Amels, who will now move on to the Semi-finalist Statewide round of this contest.

Mayor Bassani reported on activities of the Open Space Committee, reporting that there will be an Open House held on May 7 in Wantage Town hall.

Mayor Bassani reported on the Sussex Wantage School budget for this year, reporting that while the School Board was able to achieve a zero dollar increase in their budget, the average Wantage taxpayer will still see about a \$28 increase in the local school portion of their tax bill because of the formula used to calculate tax rate, largely involving impact from tax assessments. Mayor Bassani complimented the School Board for their efforts, and stated that together with the zero tax impact from the local budget, the reduction in the High school budget, and the anticipated minor impact from the county budget, the overall tax impact for this year will be one of the slightest in many years.

Mayor Bassani reported on a meeting he had with Lt. Meehan, the Barracks Commander for the Sussex Station of the New Jersey State Police, to discuss various topics of interest and concern to the community. Mayor Bassani reported that the State Police would soon be holding an Open House Outreach with the school systems, and the governing body could anticipate receiving an invitation to attend this when it is scheduled.

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Mayor Bassani reported on a meeting he had with the Township's Risk Management Consultant for health care insurance, and based on current information, it appears that Wantage Township's budget will remain unaffected by the "Obamacare" Health Insurance implementation by virtue of the fact that Wantage has less than 50 full time equivalent employees.

Mayor Bassani reported that the snow fence and posts have been delivered to the DPW Yard, so this additional snow storm response tool will be available to the Township for next winter.

Mayor Bassani reported that the Recreation Commission's Easter Egg Hunt is scheduled to be held at Woodbourne Park on March 30, and that the Township Newsletter for Spring 2013 has been mailed out to the community.

Mayor Bassani reported on a discussion he had with representatives of Sussex Rural Electric Cooperative, who expressed their belief that the Board of Public Utilities will take no action to re-draw boundaries of electric service territory within Wantage Township. Mayor Bassani commented that this further confirms what the municipality expected all along regarding the many and varied efforts undertaken to address JCP&L shortcomings in service delivery. Mayor Bassani stated that while it is possible, at some point in the future, choice in service provider for electric power might be accomplished, for now that option does not appear to be a realistic expectation.

Mayor Bassani reported that he attended the Annual Installation Dinner of the Minisink Hose company in Unionville, NY, who serve as one of the First Response Fire units for the northeast sector of Wantage.

OLD BUSINESS: None

NEW BUSINESS

Final Adoption of Ordinance 2013-05

Mr. DeBoer moved to adopt on final reading, Ordinance 2013-05, entitled "AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION FOR THE PREPARATION AND ISSUANCE OF A COMPLETE PROGRAM FOR REASSESSMENT OF REAL ESTATE FOR USE OF THE TOWNSHIP OF WANTAGE TAX ASSESSOR". Mr. Gaechter seconded the motion.

Prior to final roll call vote, Mayor Bassani opened the meeting to the public for any questions or comments with respect to this proposed Ordinance.

William Gettler, Gemmer road, expressed the opinion that the wording of the Ordinance indicating that the Reassessment was for the Township of Wantage Tax Assessor was not correct.

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

Upon Roll call,

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

Final Adoption of Ordinance 2013-06

Mr. Gaechter moved to adopt on final reading, Ordinance 2013-06, entitled "AN ORDINANCE RATIFYING NUNC PRO TUNC THE AUTHORITY OF WANTAGE TOWNSHIP TO ENTER A CO-BORROWER AGREEMENT WITH THE FRIENDS OF LAKE NEEPAULIN FOR THE PURPOSE OF THE REPAIR OF THE LAKE NEEPAULIN DAM". Mr. DeBoer seconded the motion.

Prior to final roll call vote, Mayor Bassani opened the meeting to the public for any questions or comments with respect to this proposed Ordinance.

Ann Smulewicz, Route 23, expressed her beliefs on various matters involving the Lake Neepaulin Dam Improvement issue, and suggested the need for independent legal counsel on the matter. Mayor Bassani stated that the proposed ordinance is being given consideration in response to the Judge's order on this matter. General discussion of the topic continued. Ms. Smulewicz asked if the governing body was sure the information presented to them was correct. Mayor Bassani responded affirmatively, stating that he had been present in court. Ms. Smulewicz expressed a desire to see better leadership. Mayor Bassani responded that this governing body was responding to cards dealt to them. General discussion continued on this topic.

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William Gettler, Gemmer Road, questioned whether the Judge had ordered that this ordinance be adopted; questioned the wording of the ordinance as it related to public having been put on notice of the intent to sign a Co-Borrower's Agreement; offered his views on the history of the issue; and requested the governing body not adopt this ordinance.

Karen Merritt, Alpine Road, offered her belief that the Judge had not ordered this ordinance to be adopted, and offered a clarification regarding another member of the public's observations by stating the Lake Neepaulin neighborhood itself is not a private community, but rather the Lake itself is privately owned.

Mayor Bassani stated the governing body believes, as advised by the Township Attorney, that this action is expected by the Judge, as per his order. While that position is a matter of opinion and open to debate, the governing body believes they are following through on what the Judge has requested to be done. General discussion of this topic continued.

Ms. Smulewicz expressed concern with the impact of last year's compliance plan, the impact of 852 farmland assessed properties, and the potential cost of the dam replacement project. Ms. Smulewicz stated that she does not want to pay for other people's costs.

Mayor Bassani thanked Ms. Smulewicz for her input, but suggested the scope of the conversation was reaching beyond the details of the ordinance being given consideration at this time.

General discussion continued between the members of the governing body and the members of the public on the points which had previously been raised during this open session.

There being no one else wishing to address the governing body on this matter, Mayor Bassani closed the meeting to the public and requested a roll call vote. Upon Roll call,

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

Approval of Minutes

Mr. DeBoer moved to adopt the minutes of the meeting held on March 14, 2013. Mr. Gaechter seconded the motion. Upon Roll call,

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

OPEN PUBLIC SESSION

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

Mr. William Gettler, Gemmer Road, offered his views on the school tax impact, and spoke with regard to comments he made at the March 14 meeting with regard to representations of statements by Mr. John Fierro of the County Tax Board. Discussion took place at this time among Mr. Gettler, the members of the governing body, Mr. Garofalo and Mr. Doherty regarding the context of a suggestion that had been made by Mr. Garofalo on March 14 that Mr. Fierro be contacted as a courtesy to provide him with an opportunity to verify the representations being made by various residents with respect to his statements. Mayor Bassani stated that he had made an effort to contact Mr. Fierro for that purpose but had, to date, not spoken with Mr. Fierro. General discussion continued.

Karen Merritt, Alpine Road, suggested the Township consider offering permits to members of the public who wish to cut and remove trees which have fallen on Township owned lots.

Ann Smulewicz, Route 23, stated that Art Jacobs was correct in predicting a decline in the student population of Sussex-Wantage School District; also spoke with regard to representations she made concerning statements of John Fierro; questioned the need to verify those statements; expressed the belief that a better job could be done posting information on the Township website regarding activities of the Land Use Board; and requested Leadership from the front.

OPEN SESSION, Continued

Mr. Gettler offered further views regarding student population decline.

Mayor Bassani stated that the migration of Montague students into High Point Regional High School will provide a partial impact offsetting the reduced school population from the elementary school level in the next several years, and cautioned that “bubbles” often occur in school population growth patterns. Mayor Bassani stated that that some years lead to decreases and other years lead to increases, so it becomes a question of whether or not to rely on what may be a short term student population downturn to guide long range capital and infrastructure planning. Mayor Bassani stated that the School Boards are analyzing the matter, and the governing body will continue to monitor the situation.

There being no one else present wishing to address the governing body at this time, Mayor Bassani 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 Pending litigation, specifically: current lawsuits involving William Gettler v. Wantage Township.

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

After meeting in closed executive session, Mr. Gaechter moved to return to open session and continue with the regular order of business. Mr. DeBoer seconded the motion. Upon roll call,

Ayes: Gaechter, Bassani, 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. DeBoer seconded the motion. Upon Roll call,

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

Mayor Bassani declared this meeting adjourned.

James R. Doherty, Administrator Clerk