

**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 25, 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 Ronald Bassani, Committeeman William DeBoer, and Committeeman William 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. DeBoer moved to approve payment of Bills for the meeting of April 25, 2013.

Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to approve the payment of \$11,200.72 to US Bank, Block 44.04 Lot 4 for Tax Sale Certificate 12-18; \$2,500.00 to US Bank, Block 44.04 Lot 4 for Tax Sale Premium; and \$6,026.12 to Lemo Industries, Inc. Block 147 Lot 3.01 QFARM overpayment

Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to Endorse Request of Wantage Township first Aid Squad to hold Memorial Day Coin Toss Fundraiser at McCoy's Corner on Friday, May 24 through Monday, May 27

Mr. Gaechter seconded the motion. Upon Roll call,

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

Mr. DeBoer moved to approve the request of Wantage Township First Aid Squad to hold Car Wash fundraiser in parking lot of Wantage Municipal Building on May 18th and 19th 9am-4pm and July 13th and 14th 9am-4pm; Rain dates: June 1st and 2nd 9am-4pm for the May dates and for the July rain dates July 20th and 21st 9am-4pm.

Mr. Gaechter seconded the motion. Upon Roll call,

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

**PROCLAMATION:** Mayor Bassani offers the following proclamation:

**American Cancer Society Relay For Life® Proclamation for Wantage Township**

WHEREAS, Relay For Life is the signature activity of the American Cancer Society and celebrates cancer survivors and caregivers, remembers loved ones lost to the disease, and empowers individuals and communities to fight back against cancer; and

WHEREAS, money raised during Relay For Life supports the American Cancer Society's mission of saving lives and creating a world with less cancer and more birthdays by helping people stay well, by helping people get well, by finding cures for cancer and by fighting back; and

WHEREAS, Relay For Life helped fund more than \$150 million in cancer research last year; NOW, THEREFORE, BE IT RESOLVED, that the Township of Wantage does hereby proclaim the week of May 13 as "RELAY FOR LIFE DAYS" and encourages citizens to participate in the Relay For Life event at Sussex County Community College on May 18 and May 19, 2013.

**PUBLIC HEARING: WANTAGE TOWNSHIP 2013 MUNICIPAL BUDGET**

Administrator Jim Doherty offered an analysis of the proposed 2013 Wantage Township Municipal budget at this time, offering highlights of the budget line items and trends. Mr. Doherty explained that it will be necessary to amend the Wantage municipal budget prior to final adoption in order to remove an anticipated grant from the State of New Jersey, which the Township has not yet received confirmation on from the State. The amendment is required to be advertised in the newspaper before the budget can be adopted, so while the public hearing is being held tonight, the final adoption vote will not take place until the next meeting. Mr. Doherty explained there will be no impact on the tax analysis since the same sum of money is being removed from Revenues and from Appropriations.

Mayor Bassani opened the meeting to the public for any questions or comments with respect to the proposed 2013 municipal budget, as advertised and introduced.

William Gettler, Gemmer Road, expressed thanks to the governing body for holding the local portion of the tax rate flat for the second year in a row. Mr. Gettler expressed the belief that additional cuts to the budget could be achieved, and suggested the snow removal budget as an example. Mr. Gettler asked if the analysis on snow removal costs that he requested had been completed. Mr. Doherty informed that it was, and provided Mr. Gettler with a copy of that analysis.

Ann Smulewicz, Route 23, expressed a belief that additional cuts in the budget could be achieved in the Land Use Board line item by reducing the salary position from full time to part time, and commented on legal fee costs.

Mayor Bassani responded that the current position of the Land Use Secretary was a multi-function job description involving land use, construction and zoning departments, and that upon review and analysis, the governing body believes the current staffing pattern is at the level it needs to be. General discussion continued between Mrs. Smulewicz and Mayor Bassani.

Mrs. Smulewicz expressed her thanks to the Wantage employees for agreeing, within the collective bargaining process, to concessions on health benefits as part of the employees' contract.

There being no one else present wishing to address the governing body at this time, Mayor Bassani closed the meeting to the public and the governing body continued with the regular order of business.

**Administrator's Report**

**Bulky Waste Bid**

At the recommendation of Mr. Doherty, Mr. Gaechter moved to award the contract for 2013 Bulky Waste Collection Service to Blue Diamond Disposal, at the price of \$290 per ton.

Mr. DeBoer seconded the motion. Upon Roll call,

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

**Reassessment Program Bid**

Mr. Doherty offered a review of the bids received at the Bid Opening for the Reassessment Program on April 23. Mr. Doherty recommended award to the low bidder, Certified Valuations. General review and discussion took place regarding the bids received and scope of service to be performed.

Mr. DeBoer moved to award the contract for 2013 Reassessment Program Services to Certified Valuations Inc., in accordance with their bid submittal, for a base price amount of \$144,300.

Mr. Gaechter seconded the motion. Upon Roll call,

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

**Land Use Board Proposed Policy for Addressing Zoning Violations**

The issue of dealing with zoning violations and Land Use Board review was tabled for further review and consideration by all parties.

**Administrator's Report, Continued**

**Amendment to Minutes of November 15, 2012**

At the recommendation of Mr. Doherty, Mr. Gaechter moved to amend the minutes of the meeting of November 15, 2012, to reflect discussions held in a second public session which was held at the end of the said meeting but which had not been included in the adopted minutes for that meeting. Mr. DeBoer seconded the motion.

On the question, Mayor Bassani inquired of resident Karen Merritt if the proposed amendment correctly reflects the discussion held at that meeting. Mrs. Merritt responded that it was not a verbatim record but did reflect the nature of the conversation. Mayor Bassani noted that minutes are never a verbatim record of discussions, and thanked Mrs. Merritt for bringing this matter to the attention of the governing body. Upon Roll call,

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

**Policy Dealing with Tree Removal by Residents from Township property**

A proposed Policy Dealing with Tree Removal by Residents from Township property was tabled for further review and consideration.

**Soil Removal Permit Status Report**

At the invitation of the Mayor, Mr. Garofalo offered an update report on his efforts to deal with outstanding soil removal renewal operations which have not yet obtained 2013 license approval, namely Bicsak Brothers and Route 284 Aggregates. The governing body reviewed a proposed letter to be sent to both parties, and offered consensus agreement with that suggested letter.

**Request for Promotion Exam**

Mr. Doherty stated that with the retirement of Walt Yetter from the Wantage Public Works Department, the department staffing was missing a Heavy Equipment Operator. Mr. Doherty suggested announcing a promotional exam for the current employees of the DPW for the position of Heavy Equipment Operator through Civil Service. The governing body offered consensus agreement to proceed.

**Request for On Line Auction of Surplus Items**

Mr. Doherty offered a list of surplus items owned by the Township of Wantage which are no longer needed for public use by the DPW. Mr. Doherty suggested selling these items through an on line auction by entering into an agreement with USGovBid. The members of the governing body authorized Mr. Doherty to prepare the necessary resolutions and agreements for pursuing such a course of action.

Mr. DeBoer stated that DPW Mechanic John Card does an outstanding job for the Township.

Mr. Doherty presented a recommendation from Engineer Harold Pellow to adjust the cost on the Holland Road Section II project to reflect 2013 Bid prices of the Morris County Cooperative Pricing Council, and award a contract to Tilcon NY. Mr. Doherty stated that the Certificate of Availability of Funds from the CFO is on file in his office.

Mr. Gaechter moved to award a contract to Tilcon NY in the amount of \$92,640.34 for milling and paving services associated with the project Holland Road Improvements – Section 2. Mr. DeBoer seconded the motion. Upon roll call,

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

**Township Committee Member Reports**

Mayor Bassani reported on meetings he held with the Vernon Fire Official, to address concerns of Wantage Township concerning service delivery within the Shared Service arrangement with Vernon for fire prevention. Mayor Bassani stated his belief and expectation that problems have been noted and will be addressed so as not to repeat. Mayor Bassani also reported on meeting with representatives of Elizabethtown Gas to determine if it were possible to expand natural gas service to residents of Wantage Township, but unfortunately cost constrictions are preventing that from becoming a realistic option.

**Mayor's Report, Continued**

Mayor Bassani offered an update on the activities of the Open Space Committee; reported that the previously considered amnesty program for zoning violations being reviewed with the Land Use Board has been placed on a back burner for more review and consideration.

Mayor Bassani stated that upon review and discussion with various residents and sports groups, he believes there is currently no need or support by the community for consideration of establishing a "Smoke Free Zone" in municipal parks, as was requested at the previous meeting by the Sussex-Warren Chronic Disease Coalition and the Sussex County Center for Prevention. The other members of the governing body expressed consensus agreement with the Mayor's findings.

Mayor Bassani made note of a concern by a resident regarding GPS directions that keep sending motorists down their dead-end street, expecting to be able to get through. After general discussion, it was agreed that there was very little the Township could do about this since there is already prominently displayed a dead end sign on the road.

**Attorney Report**

Mr. Garofalo referenced a recent change in State Law regarding amendments to Farmland Assessment standards. Mr. Garofalo offered details and analysis of changes which will take place. General review of this matter took place between the governing body and Mr. Garofalo.

**OLD BUSINESS**

**Support for Bill to Amend Tax Appeal Burden**

Mr. DeBoer moved to adopt the following resolution:

**RESOLUTION SUPPORTING S-1896/A-1503 SHARING THE  
BURDEN OF PROPERTY ASSESSMENT APPEAL REFUNDS**

WHEREAS, when County Tax Board appeals are successful, the municipality must reimburse the property taxpayer 100% of the appealed tax levy, which includes the municipal, school, county and any special districts tax; and

WHEREAS, the municipal tax collector must then adjust the taxpayer's fourth quarter tax bill, resulting in the municipality's fund balance for the preceding year being diminished, if not completely depleted; and

WHEREAS, in recent years, municipalities have experienced a large spike in tax appeals caused by the economic down-turn, which lowered property values and placed increased stress on the income of homeowners all around our Garden State; and

WHEREAS, successful tax appeals have a four-fold negative impact on municipal budgets; first by requiring the municipality, as the collector of taxes for the School district, county and special districts, to fund the full cost of the legal defense of the assessment; and

WHEREAS, the second negative impact on municipal budgets results from State law, which guarantees to the county and the school district 100% of their levies, hence forcing the municipality to bear the full cost of any reimbursements resulting from the appeal, as well as the full burden for any uncollected taxes; and

WHEREAS, the third negative impact on municipal budgets ensues because the refunds and credits negatively impact the municipality's tax collection rate, resulting in a State required increase in the appropriation for the Reserve for Uncollected Taxes (a non-exempt from cap budget expenditure); and

WHEREAS, fourth, the end result is a further decline in the property tax base used to support municipalities, county governments, school systems and any fire or other special purpose districts, which will necessitate tax rate increases to raise the same amount of revenue; and

WHEREAS, in light of the revenue limitations that have been placed on all levels of local government by the Legislature (2% cap), such declining values will compound and add additional stress to local public officials, as they grapple with the issues confronting the tax paying public.

WHEREAS, Senator Anthony R. Bucco, Assemblyman Michael Patrick Carroll and Assemblyman Anthony M. Bucco have recently introduced Senate Bill S-1896/Assembly Bill A-1503, which requires fire districts, school districts, and county governments to share in burden of property assessment appeal refunds;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee of the Township of Wantage, New Jersey hereby urges the swift passage and signing of S-1896/A-1503; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey League of Municipalities.

Mr. Gaechter seconded the motion. Upon roll call,

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

**NEW BUSINESS**

**Approval of Minutes**

Mr. DeBoer moved to adopt the minutes of the meeting held on April 11, 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.

William Gettler, Gemmer Road, offered comments and analysis on the bids received for the Reassessment program.

Kathy Gorman, Fernwood Road, followed up on a comment by Mr. Gettler and inquired regarding the level of training that is required for inspectors who are coming to residences as a part of the Revaluation process. Mrs. Gorman expressed dissatisfaction with the inspections done as a part of the Revaluation process, and inquired what would happen if a property owner refuses to allow an inspector access inside the home. General discussion took place on this topic among Mrs. Gorman, Mr. Doherty, Mayor Bassani, Mr. Garofalo and Mr. DeBoer. Mr. Doherty stated he would review and get back to the governing body on the question of certifications required for inspectors.

Karen Fisher, 75 South Shore Drive, inquired if a bid award had been made for the Reassessment program. Mayor Bassani confirmed that it had. Ms. Fisher asked if the entire municipality would be reassessed. Mayor Bassani confirmed that it would. Mr. DeBoer commented on the likely end result of inspections dealing with properties that have had no change in their situation since the Revaluation took place in 2006, as far as additions or changes to improvements that might impact an assessed value.

Karen Merritt, Alpine Road, offered comments regarding certifications required to conduct inspections for appraisal purposes. Mayor Bassani thanked Ms. Merritt for her input, and stated the governing body has faith in the ability and professionalism of the firm which has been hired.

Mrs. Merritt offered comments on the appeal process. General review of this matter took place with Mr. Garofalo and Mayor Bassani. Mayor Bassani stated that the governing body would work with the community to make this process work to the best of our ability.

Mrs. Merritt inquired regarding status of tax payment on proposed soil removal permits. Mr. Doherty confirmed that checking this is standard procedure in the license approval process.

Mrs. Merritt offered observations regarding the fact that it is up to the Mayor to enforce or be lenient with the 4 minute speaking time frame, rather than any member of the general public. General discussion took place regarding the 4 minute speaking rule. Mayor Bassani and Mr. DeBoer stated that the Township has been very lenient on this rule for the benefit of hearing input from the general public. Mayor Bassani took this opportunity to remind all members of the public that when speaking the comments are to be directed to the governing body, not to other members of the public.

Mrs. Gorman once again expressed disappointment with the inspection service conducted during the Revaluation.

Mr. Gettler once again offered views on the Reassessment program, and the Compliance Plan.

Mrs. Ann Smulewicz, Route 23, expressed support for comments and analysis offered by Mr. Gettler, expressing a desire that his input be given more consideration and attention of the governing body. Mrs. Smulewicz offered at this time to stop speaking in favor of another member of the public who seemed to her to be anxious to speak. Mayor Bassani encouraged Mrs. Smulewicz to continue speaking.

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Mrs. Smulewicz inquired if SECTV had responded to the Township's request for a refund on service fees charged during Super Storm Sandy, and asked if Township would follow up.

Mayor Bassani stated that no response had been received, and the cost of pursuing this any further would involve legal fees which might not produce a desired end result.

Mrs. Smulewicz asked if the amendment to the Farmland Assessment process was a bill or a law. Mr. Garofalo stated it was a recently adopted law.

Mrs. Smulewicz expressed unhappiness with the manner in which she was dealt with by the Land Use Board attorney at a recent meeting.

Mayor Bassani responded by stating his belief the governing body treats every one with respect when listening to people's input. Mayor Bassani stated, however, that he has discovered through his own research efforts and observations that there are a number of times when certain members of the public will present their personal opinions as if they were facts. Mayor Bassani offered as an example the repeated observations and accusations that Mr. Gettler has made, and continues to make, regarding the actions taken by the Township and its employees with respect to the compliance plan. Mayor Bassani pointed out that Mr. Gettler takes the position things were done contrary to law, and that people need to lose their jobs, be put in prison, and fined, but when the State had completed their review of the matter, nothing they found came anywhere near such action being called for. While certain procedural actions were found wanting, no violations of law were found. Mayor Bassani suggested that Mrs. Smulewicz may wish to do further research on matters presented by fellow citizens during a public session, to ensure that what is being represented as "fact" is not actually just "opinion." With regard to concerns about the Land Use Board, Mayor Bassani stated he felt that the matter being discussed at the board level was beyond the boundaries of the Board to deal with. Mayor Bassani stated that local jurisdiction limits the areas that the Boards and governing body can address, but that he appreciated the concern regarding the manner of interaction and would mention her concerns to the board.

Claire Wolpert, Fernwood Road, offered her congratulations to the governing body for treating all people with respect, and then offered rebuttal comments on various points to Mrs. Smulewicz regarding speaking during public sessions.

Mayor Bassani thanked Ms. Wolpert for her comments, but reminded her and the public that all comments must be addressed to the Mayor, not to other members of the public.

Jack Hingel, 21 American Way, asked if te Clove Hill Manor properties would be included in the Reassessment. Mayor Bassani confirmed they would be. Mr. Hingel expressed concern regarding the cost that many homeowners undertook as part of prior year tax appeals. Mayor Bassani stated he understood the comment, but the Reassessment program is designed to be town-wide.

Tom Jable, North Shore Drive, stated he agreed with Ms. Wolpert and offered his praise to the governing body for being respectful to all. Mr. Jable expressed sadness with the contentiousness of recent letters to the editor published in local newspapers, written by Wantage residents. Mr. Jable specifically referenced reactions to a letter which had been written by Committeeman Bill DeBoer, and requested that all parties make an attempt to work together and be respectful.

There being no one else present wishing to address the governing body at this time, Mayor Bassani thanked everyone for their comments and closed the meeting to the public.

**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.