

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, NJ ON OCTOBER 24, 2013

Mayor Ronald 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 and Committeeman William Gaechter. The following members were absent: Committeeman William DeBoer. Also present: Attorney Michael Garofalo.

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 Payment of Bills for the meeting of October 24, 2013, excluding Purchase Orders 10806 and 10819, both to Bassani Power Equipment

Mayor Bassani seconded the motion. Upon Roll call,

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

Mr. Gaechter moved to approve refund of \$7,896.02 to US Bank, for redemption of tax sale certificate 12-24 on Block 91, Lot 15. Mayor Bassani seconded the motion. Upon Roll call,

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

Mr. Gaechter moved to approve the Resolution entitled:

**Governor's Council on Alcoholism and Drug Abuse Fiscal Grant
Extension January 1, 2014 to June 30, 2014**

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township of Wantage, County of Sussex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, The Township was approved for a Municipal Alliance grant for the January 1, 2013 through December 31, 2013 grant term; and

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse has extended the 2013 grant term until June 30, 2014, in order to transition the grant to a fiscal year rather than calendar year cycle; and

WHEREAS, funding has been made available to Sussex/Wantage Municipal Alliance in the amount of 50% of its approved 2013 grant total for the six-month extension period of January 1, 2014 to June 30, 2014, contingent upon meeting the 25% Cash Match and 75% In-Kind Match grant requirement for the extension funding

NOW, THEREFORE, BE IT RESOLVED that the Township of Wantage does hereby authorize the submission of the grant extension for the Sussex/ Municipal Alliance grant in the amount of:

DEDR \$6,358

Cash Match \$1,590

In-Kind \$4,769

The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Mayor Bassani seconded the motion. Upon Roll call,

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

Mayor Bassani informed that consideration of authorization to pay excluding Purchase Orders 10806 and 10819 shall be held until the November 14 meeting, when Mr. DeBoer is anticipated to be present and available.

Administrator's Report

Transfer of Liquor License: Mr. Doherty stated the Township is still awaiting the State Police Clearance Report for the proposed new owner of the Airport Pub & Package liquor license, and until that report is received, no action may be given consideration on the transfer application.

Clove Hill Manor Improvements: Mr. Doherty reported there was no new information to report on this topic, at this time.

Concord Engineering: with regard to the possibility of extending third party electric billing service to JCP&L residential customers through an Electric Service Cooperative, Mayor Bassani reported his understanding that a meeting would be held in Newton on Monday and asked Mr. Doherty to confirm the meeting date and his attendance. Mr. Doherty agreed to do so.

WMP Amendment endorsement: Wantage Ridge

Mr. Gaechter moved to approve the Resolution entitled:

RESOLUTION ENDORSING A PLAN AMENDMENT TO THE WANTAGE TOWNSHIP WASTEWATER MANAGEMENT PLAN AND SUSSEX COUNTY WATER QUALITY MANAGEMENT PLAN FOR BLOCK 116, LOT 10.06

WHEREAS, the Wantage Township Committee desires to provide for the orderly development of wastewater treatment and conveyance facilities within the municipality; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas and related subjects be in conformance with an approved Wastewater Quality Management (WQM) plan; and

WHEREAS, the Wantage Township Wastewater Management Plan (WMP) prepared by the County of Sussex has been approved by the NJDEP as an amendment to the Sussex County Water Quality Management Plan in September 2000, and revised September 2001; and

WHEREAS, Wantage Ridge Developers, LLC ("Wantage Ridge") and PKM Holdings, LLC ("PKM") are the owners of property located in Wantage Township, along State Route 94 in the McCoy Corner Village area of Wantage, which land is identified as Block 116, Lots 10.01 and 10.06 on the Wantage Township tax maps (Property); and

WHEREAS, Wantage Ridge is the owner Block 116, Lot 10.0 1, known as the "Wantage Village Development" and PKM is the owner of Block 116, Lot 10.06, known as the "Wantage Ridge Development"; and

WHEREAS, Wantage Ridge and PKM propose an inclusionary development on the Property, with mixed-use buildings, multi-family housing, low and moderate income units, related parking improvements and an on-site sewage treatment facility; and

WHEREAS, the proposed developments are located on a tract of land less than 100 acres; and

WHEREAS, the wastewater flow volume is above the NJDEP threshold of 2000 gallons per day, Wantage Ridge has already obtained a NJPDES-Discharge to Groundwater permit for up to 19,867 gallons per day for Block 116, Lot 10.0 1, and will seek to amend said permit to provide that the Wantage Village Development on Block 116, Lot 10.06 be changed and designated an "on-site groundwater discharge area", and this amendment must be consistent with the Wantage Township WMP; and

WHEREAS, Block 116, Lot 10.01 is shown as a "future sewer service area" and existing Wantage Township WMP requires a Plan Amendment to provide that Block 116, Lot 10.06 on the tax map of Wantage Township be changed and designated an "on-site groundwater discharge" area; and

WHEREAS, the Wantage Township Committee has determined and the approved discharge for the development of Block 116, Lot 10.06, together with the discharge for Block 116, Lot 10.01, is approved for this Property within the municipality.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wantage on this 24th day of October, 2013 as follows:

1. Wantage Township hereby endorses a plan amendment to the Wantage Township Wastewater Management Plan (WMP) as follows:
 - a. To permit the discharge for the proposed development on the Wantage Village Development property, located on Block 116, Lot 10.06;
 - b. To provide for "on-site groundwater discharge" area designation for Block 116, Lots 10.06 in the Township of Wantage.

Administrator's Report, Continued

2. This endorsement shall be submitted to the Sussex County Policy Advisory Committee, the Sussex County Board of Chosen Freeholders, the NJDEP, and all other interested parties.

Mayor Bassani seconded the motion. Upon Roll call,

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

WMP Amendment endorsement: Bicsak Site

Mr. Gaechter moved to approve the Resolution entitled:

RESOLUTION ENDORSING A PLAN AMENDMENT TO THE WANTAGE TOWNSHIP WASTEWATER MANAGEMENT PLAN AND SUSSEX COUNTY WATER QUALITY MANAGEMENT PLAN FOR A PORTION OF THE BICSAK BROTHERS REALTY LLC PROPERTY KNOWN AS A PORTION OF BLOCK 11, LOT 5 AND BLOCK 10, LOT 1.01

WHEREAS, the Wantage Township Committee desires to provide for the orderly development of wastewater treatment and conveyance facilities within the municipality; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas and related subjects be in conformance with an approved Wastewater Quality Management (WQM) plan; and

WHEREAS, the Wantage Township Wastewater Management Plan (WMP) prepared by the County of Sussex has been approved by the NJDEP as an amendment to the Sussex County Water Quality Management Plan in September 2000, and revised September 2001; and

WHEREAS, Bicsak Brothers Realty, LLC ("Bicsak") is the owner of property located in Wantage Township, which land is identified as a portion of Block 11, Lot 5 and Block 10, Lot 1.01 on the Wantage Township tax maps ("Property"); and

WHEREAS, the Property is the site of a soil and rock removal operation which has been approved and substantially conducted; and

WHEREAS, the Property is proposed for Planned Commercial Development, and could include a hospital or related medical campus; and

WHEREAS, the proposed development of the Property will require wastewater discharge above 2000 gallons per day; and

WHEREAS, the Property is less than 100 acres and the projected wastewater flow volume at the Property is above the NJDEP threshold of 2000 gallons per day, Bicsak will connect to the Sussex County Municipal Utility Authority Sewage Treatment Plant, to be consistent with the Wantage Township WMP; and

WHEREAS, the property is designated as a future sewer service area and the existing Wantage Township WMP requires a Plan Amendment to permit the discharge for the proposed development, and to permit a portion of Block 11, Lot 5 and Block 10, Lot 1.01 as shown on the tax map of Wantage Township to be changed and designated sewer service area for the Sussex County Municipal Utility Authority Sewage Treatment Plant; and

WHEREAS, the Wantage Township Committee has determined that the proposed discharge for the development of the Property contemplated by Bicsak is appropriate for this Property within the municipality.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wantage on this 24th day of October, 2013 as follows:

Wantage Township hereby endorses a plan amendment to the Wantage Township Wastewater Management Plan (WMP) to provide for a sewer service area designation for a portion of Block 11, Lot 5 and Block 10, Lot 1.01 in the Township of Wantage, and to allow it to be connected to the Sussex County Municipal Utility Authority Sewage Treatment Plant.

2. This endorsement shall be submitted to the Sussex County Policy Advisory Committee, the Sussex County Board of Chosen Freeholders, the NJDEP, and all other interested parties.

Mayor Bassani seconded the motion. Upon Roll call,

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

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Attorney's Report

Mr. Garofalo offered a status update report on the recent validation of Same Sex Marriages in the State of New Jersey, and the legal options a Mayor has with respect to whether or not to officiate wedding ceremonies.

Committee Reports

Mr. Gaechter reported that he is working with a representative of the Sussex Wantage Board of Education to re-confirm the lines of communication between the Board of Education and the Wantage governing body, informing that he would be attending future Board meetings, and the Board would attempt to reciprocate with representatives coming to the Wantage governing body meetings from time to time.

Mayor Bassani reported that he attended a recent Sussex County League of Municipalities dinner meeting, as well as a Sussex County Economic Development Mayor's Appreciation Dinner, both of which reviewed current and anticipated efforts at increasing economic development ventures within the county. Currently, data gathering and market strategy discussions are ongoing. Mayor Bassani acknowledged Hardyston Mayor Leslie Hamilton, who was chosen as "Sussex County Mayor of the Year" at the Mayor's Appreciation Dinner meeting.

Following up on the issue of Concord Engineering and the possibility of Third Party contract for residential customers of JCP&L within Wantage Township, Mayor Bassani suggested the governing body review the information that Mr. Doherty brings back from Monday's meeting at the county and then determine whether a follow up meeting/presentation is desired, or other action on the matter.

OLD BUSINESS

Volcanic Hill Road: Petition for Acceptance as Public Road

Brief general discussion took place regarding this topic. No action took place.

NEW BUSINESS

Approval of Minutes

Mr. Gaechter moved to adopt the minutes of the Regular meeting held on October 10, 2013.

Mayor Bassani seconded the motion. Upon Roll call,

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

Bill Duffy, a resident of Clove Hill Manor, asked if there were any new information regarding the status of completing improvements at Clove Hill Manor. Mayor Bassani responded there was no new information. General review of the current status of this issue took place at this time.

Fran Fincken, a resident of Clove Hill Manor, also offered her thoughts and concerns regarding the status of completion of improvements at Clove Hill Manor, and inquired regarding the status of the feasibility study and potential placement of a Cell Tower on the municipal building property site. Mayor Bassani explained that discussions were on-going with Verizon for the placement of a Crane which would simulate the height and placement of a potential cell tower, and that as details of this are finalized, the governing body would share additional information.

Kathy Gorman, Fernwood Road, offered information regarding Loan Disbursement requests made by the Friends of Lake Neepaulin to the NJDEP under the project for Rehabilitation of the Lake Neepaulin Dam.

OPEN PUBLIC SESSION, Continued

General discussion took place regarding the role of the Township in the Loan Disbursement process. Ms. Gorman stated that, based on discussions she has had with a representative of the NJDEP, she believed the Township's role should involve pro-active review of the invoices being submitted for consideration of payment. Mayor Bassani stated that this is not the understanding of the Township, and requested Mr. Doherty to contact the individual at NJDEP and ascertain confirmation of the Township's role.

Mrs. Gorman expressed a desire for the Township to obtain copies of itemized billings on various budget line items within the Dam Rehabilitation Project. Mayor Bassani requested Mr. Doherty to obtain those details. Mayor Bassani and Mr. Gaechter requested Mr. Doherty to obtain a general progress / status report from Mr. Tom Jable of FOLN, regarding the status of the Dam project.

Ann Smulewicz, Route 23, expressed surprise the Township was not monitoring the invoices being submitted by FOLN to the State for the Dam project. Mayor Bassani offered a response, again explaining the Township's role and position in the process as it is currently understood by the Township.

General discussion of the process for payment of invoices for the Dam project, and the process for repayment of the loan to the NJDEP, continued with various members of the public, the governing body members, Mr. Doherty, and Mr. Garofalo. Mr. Garofalo suggested that the discussion required a distinction to be made between the questions of what would happen if FOLN failed to pay their portion of the loan repayment as a special assessment billing, versus what would happen if the NJDEP Loan were to default.

Mrs. Gorman took exception to the comment made by Mr. Garofalo, and requested six copies of the recording of this meeting.

There being no one else wishing to address the governing body, Mayor Bassani closed the meeting to the public and the governing body returned to the regular order of business.

ADJOURNMENT

There being no further items for the attention of the governing body, Mr. Gaechter moved to adjourn the meeting. Mayor Bassani seconded the motion. Upon Roll call,
Ayes: Gaechter, Bassani Nays: None Absent: DeBoer Abstain: None

Mayor Bassani declared this meeting adjourned.

James R. Doherty, Clerk