

**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 23, 2014**

Mayor DeBoer called the regular meeting to order, and requested the Clerk call the roll. Upon roll call, the following members of the governing body were present: Mayor Bill DeBoer, Committeeman Ron Bassani, and Committeeman Bill Gaechter. The following members were absent: None.

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 and certified by the Clerk."

FLAG SALUTE

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

CONSENT AGENDA

Mayor DeBoer requested that the governing body review the Consent Agenda.

Mr. Gaechter moved to approve Raffle License RL 14-16, for Kiwanis Club Sussex, to hold an Off Premise 50/50 Raffle on December 10, 2014, at Sussex Queen Diner.

The motion was seconded by Mr. Bassani. Upon Roll Call:

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

Mr. Gaechter moved to authorize the Payment of Bills for the meeting of October 23, 2014, excluding P.O. # 11886 in the amount of \$247.48 and P.O. # 11859, in the amount of \$344.99

The motion was seconded by Mr. Bassani. Upon Roll Call:

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

Mr. Gaechter moved to authorize the refund of escrow deposits, as follows:

\$7,064.65 to Friends of Lake Neepaulin, Block 69.01 Lot 40 for E-14-01

\$750.00 to Friends of Lake Neepaulin, Block 69.01 Lot 40 for E-12-02

The motion was seconded by Mr. Bassani. Upon Roll Call:

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

Mr. Gaechter moved to authorize the refund of funds for seeding and haying Bonds, as follows:

\$1,000.00 to ABD Wantage, Block 54 Lot 10.07, for S-06-13

\$2,500.00 to Beazer Homes, Block 125.02 Lot 3, for S-07-04

\$1,510.61 to Teah's Treasure, LLC, Block 11 Lot 5, for S-10-01

The motion was seconded by Mr. Bassani. Upon Roll Call:

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

Payment of Bills

Mr. Gaechter moved to authorize the Payment of Bills for P.O. # 11886 in the amount of \$247.48 and P.O. # 11859, in the amount of \$344.99, both payable to Bassani Power & Equipment.

The motion was seconded by Mayor DeBoer.

Mr. Bassani recused himself from participation in this motion.

Upon Roll Call:

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

ADMINISTRATOR'S REPORT

Mr. Doherty offered a report on an accident that happened recently on County Route 628. He and Fire chief Jon Morris offered explanations of the heroic actions taken by a Wantage resident, Justin Sudol, to rescue a young woman from her car before it sank into a pond. The members of the governing body agreed to invite Mr. Sudol to the Organization Meeting in January, and provide him with a token of the Township's appreciation for his heroic act. General discussion took place regarding possible steps that could be taken to increase the safety of the area where the accident occurred.

ADMINISTRATOR'S REPORT, Continued

Lake Neepaulin Use Rules:

Mr. Doherty reported the Recreation Commission members were finalizing their input to the governing body on recommendations for use of the Lake Neepaulin Park.

Care Package for Greg Williams:

Mr. Doherty reported that the Recreation Commission is going to be sending Recreation Commission Member Greg Williams – who is serving in Afghanistan as a member of the Seabees – a care package to say “we’re thinking of you and appreciate what you are doing.” They will be mailing it out by Friday, 10/31, to make sure it gets to Greg by Veterans Day.

Mr. Doherty invited the members of the governing body and the public to contribute to the care package, if they so choose.

Quotations for Purchase of Used Vehicle

Mayor DeBoer recused himself from participation in this discussion, as his business was a participant in the solicitation process.

Mr. Doherty stated the Mechanic was able to repair the brakes on the existing municipal vehicle, and therefore requested the governing body reject all quotes received for this solicitation based on abandoning the project.

Mr. Gaechter and Mr. Bassani agreed by consensus to reject all quotes and abandon this project.

Stop Signs and Speed Limit Signs for Clove Hill Manor:

Mr. Doherty reported on the need to adopt ordinances establishing legal stop intersections and speed limits along the roads in the Clove Hill Manor development, now that the Township has taken ownership of the roads there. Township Engineer Harold Pellow has submitted a report with recommendations. Mr. Doherty stated he would create a draft ordinance for consideration of introduction.

Report on Soil Removal Operations:

Mr. Doherty presented a report from Township Engineer Harold Pellow to the governing body, evaluating the status of the three existing soil removal operations in Wantage Township, as was requested at the last meeting.

Fire Vehicle Specifications:

Mr. Doherty stated the Colesville Fire Company’s Vehicle Committee has completed its review of proposed bid specifications for purchase of a new fire vehicle, with the Fire chief Jon Morris and with the Administrator.

Mr. Bassani initiated a discussion regarding the likelihood of receiving more than one bid submission. After discussion, it was agreed that Mr. Bassani, Chief Morris, and Mr. Doherty would meet and review the bid specifications, and contact potential vendors who may be in a position to review the specifications to determine if they could be revised to increase the likelihood of receiving more than one bid submittal.

Best Management Practices Survey:

Mr. Doherty reviewed the Best Management Practices Survey with the governing body. Mr. Doherty reported that Wantage qualifies for the full amount of State Aid available based on a score of 90.

Animal Control Personnel:

As per Mr. Doherty’s recommendation, Mr. Bassani moved to hire Melanie Monastra as Poundkeeper on a part time basis for \$14.25 an hour (starting union scale), for a 15 hour work week. Mr. Gaechter seconded the motion. Upon roll call,

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

ADMINISTRATOR'S REPORT, Continued

Membership Renewal in the North Jersey Municipal Employee Benefits Fund:

Mr. Doherty reported on the projected rates for the coming year in medical, prescription and dental coverage.

Mr. Gaechter moved to authorize the Mayor to sign the Indemnity and Trust Agreement with North Jersey Municipal Employees Benefit Fund, and to adopt the following resolution:

NORTH JERSEY MUNICIPAL EMPLOYEE BENEFITS FUND RESOLUTION to RENEW

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the North Jersey Municipal Employee Benefits Fund, hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3,17:1-8.1, and 40A:10-36 et seq., and;

WHEREAS, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

WHEREAS, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;

WHEREAS, the governing body of Wantage Township, hereafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the LOCAL UNIT hereby agrees as follows:

1. Become a member of the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
2. Will participate in the following type of coverage: Health Insurance as defined pursuant to N.J.S.A. 17B:174, the FUND's Bylaws, and Plan of Risk Management.
3. Adopts and approves the FUND's Bylaws.
4. Executes an application for membership and accompanying certifications.

BE IT FURTHER RESOLVED that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

Mr. Bassani seconded the motion. Upon roll call,

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

Court Personnel: Mr. Doherty reported there is currently a vacant employment position in the municipal court, created by the resignation of Rachael Nestel back in September. The Court Administrator has conducted interviews with interested parties to replace Ms. Nestel, and has offered her recommendation. Mr. Doherty requested the governing body's act in consideration of the recommendation made.

Mr. Gaechter moved to approve the employment of Jo Ann Klippel for a 30 hour work week at a starting salary of \$10 per hour, in the position of Keyboarding Clerk I (the NJ civil Service Title commonly known as a Clerk Typist). Mr. Bassani seconded the motion. Upon roll call,

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

Redevelopment Zone Designation Resolution: Mr. Doherty stated that Attorney Glenn Kienz would cover this in his Attorney Report.

ATTORNEY'S REPORT: Mr. Kienz reported on the status of efforts to pursue a Redevelopment zone designation for property along the Sussex Borough border, and requested the consideration of the governing body for adoption of a resolution authorizing the Land Use Board to formally undertake a study on this matter.

Mr. Bassani moved to approve a resolution entitled "RESOLUTION OF THE MAYOR AND TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WANTAGE AUTHORIZING AND DIRECTING THE LAND USE BOARD OF THE TOWNSHIP OF WANTAGE TO EXAMINE WHETHER CERTAIN LANDS, IN PARTICULAR, BLOCK 18, LOT 43, AND BLOCK 18.01, LOT 1, LOCATED AT 446 ROUTE 23 IN THE TOWNSHIP OF WANTAGE, NEW JERSEY, SHOULD BE DETERMINED TO BE AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.", as follows:

ATTORNEY'S REPORT, Continued

WHEREAS, the Township of Wantage (the "Township") has identified certain properties located at 446 Route 23, specifically Lot 43 in Block 18 and Lot 1 in Block 18.01, as delineated on the tax map attached hereto and made part of this Resolution, to be considered for designation as an area "in need of redevelopment", pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et; and WHEREAS, before an area may be declared in need of redevelopment, it is legally necessary for the adoption of a Resolution authorizing the Land Use Board of the Township to undertake a preliminary study to determine whether the proposed area meets the criteria for designation as a redevelopment area pursuant to N.J.S.A. 40A: 12A-6; and

WHEREAS, the Township desires that the Land Use Board to undertake an examination as to whether Lot 43 in Block 18 and Lot 1 in Block 18.01 may be deemed "an area in need of redevelopment"; and

WHEREAS, if the area is determined to be an area in need of redevelopment, it shall be a non-condemnation redevelopment area,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee, that:

1. The Land Use Board is hereby directed and authorized to examine whether the lands located at 446 Route 23, comprising Block 18, Lot 43 and Block 18.01, Lot 1, as delineated on the tax map attached hereto and made a part of this Resolution, should be determined "an area in need of redevelopment" pursuant to N.J.S.A. 40A: 12A-3; and

2. The Township shall be authorized to use all those powers provided by law for use in a redevelopment area other than the use of eminent domain; and

3. The Land Use Board is hereby directed to make its determination after giving public notice as prescribed by law and conducting a public hearing as provided in N.J.S.A. 40A: 12A-6.b; and

4. The public notice shall comply with the requirements of N.J.S.A. 40A:12A-6.b(2) and (3) and the hearing procedures shall comply with the requirements of N.J.S.A. 40A: 12A-6.b(4); and

5. Before the public hearing, the Land Use Board shall prepare a map showing the boundaries of the proposed non-condemnation redevelopment area and the location of the various parcels of property included therein. A statement setting forth the basis of the investigation and the Land Use Board's findings shall be appended to the map; and

6. Pursuant to N.J.S.A. 40A:12A-6.a, the Mayor and Committee hereby assign to the Land Use Board the conduct of the investigation and the public hearing, which shall comply in all respects with the requirements of N.J.S.A. 40A:12A-6.

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

The motion was seconded by Mr. Gaechter. Upon Roll Call:

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

TOWNSHIP COMMITTEE REPORTS:

Mr. Gaechter reported that some of the concerns regarding the timing of the traffic light, and turning lanes, along the Route 23 Realignment project, seem to have been addressed.

Mr. Gaechter also wished Mayor DeBoer a happy birthday.

Mayor DeBoer reported that he and Mr. Doherty recently met with New Jersey State Police Sussex Station Barracks Commander Lt. Seamen, and after discussing the existing protocol of the State Police for handling towing company call outs, Mayor DeBoer concludes there is no need for a local ordinance on this topic as the public's interests appear to be properly safeguarded. Mayor DeBoer also spoke with Lt. Seamen about the Route 23 traffic concerns, and the Lieutenant agreed to look into these concerns to ascertain if he could assist with their resolution.

OLD BUSINESS:

284 Aggregates Soil Removal Operation:

The governing body invited Mr. Jack O'Krepky of 284 Aggregates to discuss concerns that have arisen with the operation of a soil removal business on Route 284.

Mr. O'Krepky addressed various concerns that were raised in a letter from Mr. Doherty, as follows:

1. Concern involving starting operations prior to 7 am: Mr. O'Krepky stated his position that while start up activities may commence before 7 am, no actual soil mining or truck loading occurs prior to 7 a.m.
2. Concerns involving activities continuing after 5:00 p.m.: Mr.; O'Krepky stated that last evening, the final load was completed at 5:15 p.m., which he categorized as the normal time frame within which loading and quarrying activity ends. Mr. O'Krepky stated that certain employees certainly stay late or arrive early, but that the operations that create noise are started and concluded within a reasonable time frame of the required start/stop times.
3. Use of Lower Unionville Road instead of Route 284: Mr. O'Krepky stated that vehicles connected with his operation do not do this, and suggested the possibility that a residential tenant on his property may be the cause of that instead.

OLD BUSINESS, Continued

General discussion ensued between the members of the governing body and Mr. O’Krepky.

Mr. O’Krepky stated that his trucks and machines do warm up before 7 a.m. Mayor DeBoer stated the focus of concern by the governing body involves the noise factor which is negatively impacting the residents surrounding the commercial operation. Mr. O’Krepky repeated his belief that his operation was not creating intrusive noise, but rather that his residential tenant was the cause of the noise. Mr. O’Krepky stated his intention of discussing these concerns with the tenant and resolving them. The members of the governing body expressed a belief that the concerns being raised involved potential zoning violations, and requested Mr. Doherty to have the Zoning Officer inspect the situation.

Mr. Gaechter stated that Mr. O’Krepky needed to commence a firm compliance with the 7 am and 45 pm time constraints immediately.

Mayor DeBoer invited interested residents to speak on this topic, if they wished to do so.

Jim Kozlowski, 56 Lower Unionville Road, stated that truck traffic is intrusive on Lower Unionville Road.

Mayor DeBoer expressed a desire to hear from residents with a concern about noise nuisance.

Rob Decker, 54 Lower Unionville Road, stated that he has heard the plant operating past 6:00 p.m. on numerous evenings; categorized the noise as coming from a stratifier and/or sifter, and other heavy equipment; stated that continuous and intrusive backup beeping from vehicles occurs very early morning hours before 7 a.m.; claims that the business has operated on Sundays in the past; and claims the tenants are operating ATV’s on the 284 Aggregate property.

Mr. Doherty requested clarification of what activities the “residential tenant” was conducting that would involve trucks using Lower Unionville Road and creating noise concerns for residents. Mr. O’Krepky suggested that a truck repair operation could be happening at that site.

Mr. Doherty agreed with the observation of Mr. Gaechter, suggesting that Mr. O’Krepky needed to implement a hard line compliance plan in which no activity would take place before 7 am or after 5 pm, not to simply strive for compliance “around” those times, as that strategy was obviously not addressing the needs of the surrounding residents and neighbors.

General discussion continued.

Mr. O’Krepky stated that he had no control over illegal ATV operation on his property.

Mayor DeBoer suggested Mr. O’Krepky should have a vested interest in attempting to control this matter because of liability exposure. Mr. Bassani and Mr. Gaechter expressed their agreement that the concerns being raised required attention by Mr. O’Krepky.

Mr. Kienz suggested the matter be carried until the December meeting of the governing body, which would give the Zoning Officer an opportunity to review the situation and offer recommendations, and would offer Mr. O’Krepky the opportunity to implement the suggestions made at this evening’s meeting to address resident concerns.

The members of the governing body agreed with this suggestion, by consensus.

NEW BUSINESS:

Final Adoption of Ordinance 2014-16: Zoning Amendment – Economic Development Zone

Mr. Bassani moved to adopt on final reading, Ordinance 2014-16, entitled “AN ORDINANCE TO AMEND CHAPTER XIII OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WANTAGE, BEING THE ZONING CHAPTER.” Mr. Gaechter seconded the motion.

NEW BUSINESS, Continued

Consideration of Ordinance 2014-16, continued

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

William Gettler, Gemmer Road, asked for an explanation of why mixed uses were not an expressed permitted use in the proposed Economic Development zone. Mr. Kienz, Mr. Bassani, and Mayor DeBoer offered responses, explaining that the intent of the proposed zone was to promote commercial development in particular, and that mixed use consideration still would be possible through a zoning variance application, if necessary.

Ann Smulewicz, Route 23, asked if the proposed zone would affect her property. Mr. Kienz and Mayor DeBoer stated that it would not.

There being no one else present wishing to speak, Mayor DeBoer closed the meeting to the public and requested a roll call. Upon Roll Call:

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

Final Adoption of Ordinance 2014-17: Bingo/Raffle Approval

Mr. Bassani moved to adopt on final reading, Ordinance 2014-17, entitled "ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER III, POLICE REGULATIONS, OF THE REVISED ORDINANCES OF THE TOWNSHIP OF WANTAGE, AUTHORIZING THE TOWNSHIP CLERK TO APPROVE BINGO AND RAFFLE LICENSES." Mr. Gaechter seconded the motion.

Prior to roll call, Mayor DeBoer opened the meeting to the public for any questions or comments with respect to this proposed Ordinance. There being no one present wishing to speak, Mayor DeBoer closed the meeting to the public and requested a roll call. Upon Roll Call:

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

Approval of Minutes

Mr. Bassani moved to adopt the minutes of the Regular Meeting Session of the Wantage Township governing body held on September 25, 2014. 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.

Kathy Gorman, Fernwood Road, requested clarification on a resolution included on the consent Agenda releasing escrow funds to FOLN. Mr. Doherty responded to the inquiry. Route 23, expressed her views on issues including solar energy, Sussex County Community College, and the Sussex Technical School. Mrs. Smulewicz stated that she informed the Freeholders that Committeeman Bassani had questions, and informed that the Freeholders suggested Mr. Bassani contact the Freeholders directly to obtain input.

William Gettler, Gemmer Road, gave input on a recent break in attempt in the Mt. Salem rea of Wantage, expressing a need to get the word out to the public when situations such as this occur.

Ann Smulewicz, Route 23, also expressed concerns about the break in attempt; offered questions regarding the Redevelopment Zone which were addressed by the governing body; requested Mr. Pellow review a parking lot area in front of her property on Route 23; and expressed concern with dust that she claims is coming from the Bicsak soil removal site.

Mrs. Gorman expressed questions regarding applicability of farmland assessment designation on a particular property location. The members of the governing body directed Mrs. Gorman to speak with the Assessor.

Warren Wisse, Valley View Trail, inquired regarding the status of a potential open space preservation project involving property across from Woodbourne Park. Mr. Bassani responded to this question, explaining that this was still in the process of review, involving the property owner, the State of New Jersey, and other potential funding partners. MR. Bassani explained that when a recommendation was concluded, it would be presented by the Open Space Committee at that time. For now, the matter is still under review and consideration.

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Mayor DeBoer closed the meeting to the public.

ADJOURNMENT

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

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

Mayor DeBoer declared this meeting adjourned.

Respectfully Submitted,

James R. Doherty, Municipal Clerk